United Nations S/2008/231

Security Council

Distr.: General
9 April 2008

Original: English

Report of the Secretary-General concerning the credentials of the alternate representative of China on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 8 April 2008 from the Permanent Representative of China to the United Nations stating that La Yifan has been appointed alternate representative of China on the Security Council.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

08-30126 (E) 100408

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Security Council

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9 April 2008

Original: English

Note verbale dated 7 April 2008 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

The Permanent Mission of the Syrian Arab Republic to the United Nations presents its compliments to the President of the Security Council and has the honour to transmit herewith a reply to the Israeli allegations contained in documents S/2008/131 and S/2008/189 (see annex).

It would be appreciated if the present note and its annex were circulated as a document of the Security Council.

08-30151 (E) 100408 100408

Annex to the note verbale dated 7 April 2008 from the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Letter dated 7 April 2008 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

On the instructions of the Government of the Syrian Arab Republic, I wish to draw your attention to the following response to the claims contained in the letter dated 25 February 2008 from the Permanent Representative of Israel to the United Nations addressed to the President of the Security Council and circulated as document S/2008/131 and to his letter dated 20 March 2008 also addressed to the President of the Security Council and circulated as document S/2008/189.

The purpose of the allegations and distorted facts contained in the above-mentioned letters from the Representative of Israel was to provide a cover for the acts of war and State terrorism which have been perpetrated on a daily basis by Israel in the occupied Arab territories since 1967, including the policy of deliberate killing for which the necessary appropriations are provided in the budget of Israel and approved by the Knesset. These letters from Israel are also designed to cover up Israel's daily violations of the sovereignty of Lebanon and of internationally recognized resolutions, including Security Council resolution 1701 (2006) as confirmed by the Secretary-General of the United Nations in his most recent report on the implementation of that resolution.

Israel's actions in the occupied Palestinian territory and in the occupied Syrian Golan in terms of killing, oppression, arrests, expulsions, the destruction of homes and the confiscation of land, contrary to the Geneva Conventions of 1949, are a flagrant violation of international law. Israel practises a policy of isolation, blockade and collective punishment against approximately 1 million Palestinians in Gaza and attacks the personnel and offices of the United Nations and Palestinian ambulances, and assassinates numerous international peace activists, as well as isolating the population of the West Bank through its continued construction of the separation wall without regard for international demands or the advisory opinion of the International Court of Justice. Successive Israeli Governments have followed the policy of collective punishment, which is prohibited under international law and under the four Geneva Conventions, and the scorched earth policy which is punishable under international law; Israel is therefore committing war crimes, crimes of genocide and crimes against humanity contrary to those laws and contrary to international norms and its leaders and politicians must be called to account for those crimes and be brought to justice.

What are described in the letter as "terrorist organizations" comprise Palestinian refugees who were forced decades ago by Israel to leave their land their homes and who aspire to just treatment and to regain their legitimate rights under internationally recognized resolutions. The Arab States, including Syria, have received these Palestinian refugees and have offered them every assistance pending their return to their Palestinian homeland in accordance with internationally recognized resolutions, in particular resolution 194 (III) concerning the Palestinians' right of return. Like the majority of States Members of the United Nations, Syria has

supported the right of peoples to freedom and self-determination and Syria continues to support the right of its Palestinian brethren to stand up for their just cause and for their legitimate right to self-determination, to return to their territory and to establish their independent State with Jerusalem as its capital in accordance with internationally recognized resolutions.

In its two letters, Israel is, as usual, attempting to conjure up flimsy pretexts to justify its violation of resolution 1701 (2006) as well as its non-compliance with hundreds of other international resolutions concerning it. In its earlier letters, the most recent of which was dated 2 March 2008 and was circulated as document A/62/725-S/2008/164, the Syrian Arab Republic responded to Israel's allegations contained in the letter referred to above to the effect that "weapons continue to be transferred through the ... Syrian-Lebanese border in violation of the arms embargo". Syria reaffirms that such allegations are motivated by politics rather than by security concerns and that their aim is to provide cover for Israel's constant violations of Lebanese sovereignty and of resolution 1701 (2006) and to involve Syria in that resolution which was adopted principally in order to stop the Israeli aggression against Lebanon in July 2006. We emphasize once again that paragraph 43 of the most recent report of the Secretary-General on the implementation of resolution 1701 (2006) pointed out that the joint force for border surveillance in Lebanon "has not discovered any case of smuggling of weapons in its area of operations".

On 25 March 2008, during the periodic monthly briefing by the Secretariat on the situation in the Middle East, Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, said that during the period covered by the briefing Israeli air violations in Lebanon had increased and that during a single week from 11 to 17 March, according to the report of the United Nations Interim Force in Lebanon (UNIFIL), there had been a total of 222 such violations which constituted a breach of Lebanese sovereignty and the Blue Line and undermined the credibility of UNIFIL and of Lebanese national institutions. Mr. Pascoe also referred to the continuing settlement activity in the occupied Syrian Golan which is in flagrant violation of internationally recognized resolutions, in particular Security Council resolution 497 (1981) which regarded Israel's decision to annex the Golan as being null and void and without legal effect. It is a matter for deep regret that the Security Council has taken no steps whatever to deal with these Israeli actions which are in violation of its resolutions while, at the same time, some of its members lose no time in confirming the Israeli allegations and acting on the basis of them in defiance of the facts and of logic.

Syria calls on the international community and the Security Council to assume their responsibility for the maintenance of international peace and security by taking the necessary measures to bring pressure to bear on Israel to implement the internationally recognized resolutions, bring its occupation of Arab territory to an end and stop engaging in terrorism in order to bring about a just and comprehensive peace in the Middle East on the basis of the relevant resolutions, particularly Security Council resolutions 242 (1967), 338 (1973) and 497 (1981) and the Arab Peace Initiative.

I should be grateful if you would have this letter circulated as a document of the Security Council.

United Nations A/62/797–S/2008/233

General Assembly
Security Council

Distr.: General
9 April 2008

Original: English

General Assembly
Sixty-second session
Agenda items 17 and 18

The situation in the Middle East

Question of Palestine

Security Council
Sixty-third year

Identical letters dated 7 April 2008 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you of yet another vicious Palestinian terrorist attack that resulted in the death of two Israeli civilians.

Earlier today, shortly after 1500 hours local time, Palestinian terrorists in the Gaza Strip fired a salvo of mortars at the Nahal Oz crossing and infiltrated the fuel terminal. Two Israeli civilians employed at the terminal were shot dead by at least four Palestinian terrorists who penetrated the depot. Nahal Oz supplies the Gaza Strip with most of its fuel, and the attack on the crossing took place just after the latest delivery of fuel for the Gaza power plant, funded by the European Union.

Today's attack proves once again that the terrorists in Gaza not only wish to harm Israelis, they also want to harm the civilian infrastructure that allows for any semblance of normal life in the Gaza Strip. While Israel facilitates the entry of humanitarian aid into the Gaza Strip, the terrorists cynically attack those very crossing points. In the past 24 hours alone, more than 127 trucks carrying medical equipment, diapers and basic food products were transferred from Israel to the Palestinian population in Gaza, via these crossing points, while at the same time more than 50 rockets and mortars were fired at Israel, in addition to the murder of two Israelis at the fuel terminal. The terrorists seek to kill as many Israelis as possible and sabotage any prospect for Israeli-Palestinian coexistence, as embodied in the crossing arrangements.

Israel holds Hamas fully responsible for these attacks and their consequences. The terrorists who attacked the fuel terminal today are trying to undermine any effort to achieve peace, and thereby harm the lives and welfare of the residents of Gaza as well.

08-30113 (E) 100408

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 17 and 18, and of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

United Nations S/2008/234

Security Council

Distr.: General
10 April 2008

Original: English

Letter dated 9 April 2008 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour of writing to you in your capacity as the President of the Security Council for the month of April 2008, and would like to request your kind assistance in circulating as a document of the Security Council the present letter and statement of the Ministry of Foreign Affairs of Georgia, dated 8 April 2008 (see annex).

(*Signed*) Irakli **Alasania**
Ambassador
Permanent Representative

08-30201 (E) 110408

Annex to the letter dated 9 April 2008 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

The Ministry of Foreign Affairs of Georgia is compelled to focus again the international community's attention on another in a series of provocative steps taken by the Russian Federation with respect of Abkhazia, Georgia.

In particular, the Ministry of Justice of Georgia received a letter from the Ministry of Justice of the Russian Federation, in which the Russian side expresses its will and intention to enter into direct cooperation with the "Abkhazian authorities" concerning the transfer of prisoners holding Russian citizenship and serving their sentences on the territory of Abkhazia.

The Ministry of Justice of the Russian Federation has made an effort to justify this intention by referring to the 1983 Convention on the Transfer of Sentenced Persons of the Council of Europe.

The Ministry of Foreign Affairs of Georgia states that the Convention on the Transfer of Sentenced Persons is an international agreement and, pursuant to Article 2 (paragraph 1, subparagraph (a)) of the 1969 Vienna Convention on the Law of Treaties, only sovereign States can be parties thereto. The 1983 Convention of the Council of Europe therefore excludes the possibility of any form of direct cooperation between the Russian Federation and one of Georgia's regions — Abkhazia.

From a legal standpoint, the intention of the Russian Ministry of Justice contradicts the 1983 Convention of the Council of Europe as well as the Charter of the United Nations and other main principles and norms of international law.

The political aspect of the matter is, however, even more alarming. The Russian side has taken a great number of provocative and aggressive steps with respect to Georgia's regions in conflict in the last two months. Those steps have led Russia to withdraw unilaterally from the regime of sanctions against the military build-up in Abkhazia. The Russian President pledged "substantial rather than declarative" assistance to the separatist regimes in its official letter. The Russian State Duma adopted a resolution that reaffirms, in the most direct terms, support for separatism and represents as an infringement of Georgia's sovereignty and territorial integrity.

Against such a background, the letter of the Russian Ministry of Justice can be considered as nothing but part of the Russian Federation's destructive policy, which aims at achieving the legitimization of the separatist regimes in the territory of Georgia and the full-fledged economic, legal and political integration of the regions in conflict with Russia. International law qualifies such policy as creeping annexation of a sovereign State.

The Ministry of Foreign Affairs of Georgia expresses its extreme protest over the Russian Federation's provocative steps and calls on the international community to give adequate assessment to such acts.

United Nations S/2008/235

Security Council

Distr.: General
14 April 2008

Original: English

Letter dated 9 April 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, and in accordance with paragraph 10 of Security Council resolution 1782 (2007), I have the honour to transmit herewith the midterm report of the Group of Experts on Côte d'Ivoire (see annex).

I would appreciate it if the present letter and its annex were brought to the attention of the members of the Council and issued as a document of the Council.

(*Signed*) Johan C. Verbeke
Chairman
Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

08-27876 (E) 110408

Annex

Letter dated 20 March 2008 from the Group of Experts on Côte d'Ivoire to the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004)

The members of the Group of Experts on Côte d'Ivoire have the honour to transmit herewith the midterm report of the Group prepared pursuant to paragraph 10 of Security Council resolution 1782 (2007).

(*Signed*) Grégoire **Bafouatika**

(*Signed*) Agim **de Bruycker**

(*Signed*) Claudio **Gramizzi**

(*Signed*) Vernon Paul **Kulyk**

(*Signed*) Lipika **Majumdar Roy Choudhury**

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Abbreviations

ASECNA	Agence pour la sécurité de la navigation aérienne en Afrique et à Madagascar (Agency for Air Navigation Safety in Africa and Madagascar)
FAFN	Forces armées des Forces nouvelles
FANCI	Forces armées nationales de Côte d'Ivoire
FCFA	CFA
FDS-CI	Defence and security forces of Côte d'Ivoire
FDS-FN	Defence and security forces of Forces nouvelles
FN	Forces nouvelles
GPS	Global Positioning System
SODEXAM	Société d'exploitation et de développement aéroportuaire, aéronautique et météorologique
UNMIL	United Nations Mission in Liberia
UNOCI	United Nations Operation in Côte d'Ivoire

I. Introduction

1. The Group of Experts was appointed by the Secretary-General on 29 November 2007 (see S/2007/688) and commenced its mission on 20 January 2008. The Group formulated its work programme so as to have preliminary meetings with Member States in the region and the Government authorities in Côte d'Ivoire, and to initiate the process of consolidation of information for further investigations. For this purpose, the Group visited Belgium, Burkina Faso, France, Ghana, Guinea, Liberia and Mali. It maintained a continuous presence in Côte d'Ivoire and undertook a familiarization tour in the areas of Côte d'Ivoire bordering Ghana, Guinea, Liberia and Mali. The Group intends to continue visiting different regions in Côte d'Ivoire. These visits are invaluable in helping the Group to have a first-hand assessment of the situation in the country through interaction with various sectors of the local population and the field staff of the United Nations Operation in Côte d'Ivoire (UNOCI).

II. Investigation methodology

2. In its investigations, the Group of Experts relied on incontrovertible documentary evidence. Where this was not possible, the Group required at least two independent credible sources to substantiate a finding.

3. The Group conducted investigations in a number of areas to determine whether violations of Security Council sanctions had actually taken place. The allegations made against States, individuals and companies were, to the extent possible, brought to the attention of those concerned to give them an opportunity to respond.

4. The present document is the midterm report of the Group, provided in accordance with paragraph 10 of Security Council resolution 1782 (2007). In order not to compromise a number of ongoing investigations, the Group has elected not to disclose specific details of those enquiries in this report.

III. Cooperation with stakeholders

5. In accordance with Security Council resolution 1782 (2007), the Group exchanged, with UNOCI and Licorne, information on the measures taken to monitor the sanctions regime. In addition, it cooperated with the Panel of Experts on Liberia reappointed pursuant to resolution 1792 (2007), particularly on matters concerning cross-border arms trafficking, the presence of foreign combatants on Ivorian soil and diamonds. The Experts of both Groups met in Monrovia for discussions at the beginning of March 2008.

6. In general, meetings between the Group and various Ivorian authorities were conducted in a cordial atmosphere. Nevertheless, the Group observed that the required information was not always readily forthcoming.

7. During the visits to Member States, the Group received full cooperation from Government authorities. None of the neighbouring Member States, however, clearly articulated to the Group the details of the measures taken by them to implement the sanctions as required in paragraph 14 (b) of Security Council resolution 1572 (2004).

8. The Group regrets that the visits scheduled for Guinea-Bissau and the United Arab Emirates, while announced several weeks in advance, did not materialize owing to either a delayed response or a request for postponement on grounds not pertinent to the mandate of the Group.

9. Overall, the investigations of the Group are sometimes hampered owing to lack of responses from Member States and relevant private individuals and entities to whom requests for information were addressed. It is also observed that there is sometimes a reluctance on the part of certain private companies, banking institutions and State institutions investigating financial crimes to share information with the Group, despite the Group's assurances of confidentiality.

IV. Monitoring of the embargo

A. Embargo inspections

10. The Group notes with appreciation the appointments by UNOCI of the head of the embargo cell and the customs consultant. The Group, however, is concerned by the fact that these positions were vacant for a considerable length of time, which detracts from the need for continuous monitoring of the sanctions regime.

11. During the first part of its mandate, the Group observed a decrease in the number of denials for access by the Forces armées nationales de Côte d'Ivoire (FANCI) and the Forces armées des Forces nouvelles (FAFN) during the embargo inspections and an increase in the number of inspections over the course of each month, even if access to some strategic sites such as port areas remained limited. The Group also expresses its deep concern regarding the fact that no site held by the Republican Guard has ever been inspected by UNOCI since the establishment of the inspection mechanism; the Ivorian authorities systematically deny access to these sites, claiming that UNOCI has no mandate to perform such inspections. In this regard, the Group understands that instructions have been given to cease the scheduling of such inspections owing to the fact that formal protests by UNOCI to the Ivorian authorities and its reports communicated to United Nations Headquarters have not been responded to. The last unsuccessful inspection occurred at Mama on 23 January 2008.

12. Despite the positive trend that emerges from the recent statistics on the embargo inspections, the Experts still consider that the modus operandi adopted by UNOCI does not provide real guarantees of effectiveness. Each Friday, the list of the inspections scheduled for the coming week is communicated to the Ivorian military authorities (FANCI and FAFN), the notice given by UNOCI varying between 72 hours and six days. The Group believes that the inability to perform spontaneous inspections has seriously diminished, and continues to diminish, the effectiveness of monitoring of the embargo on arms and related materials and erodes the credibility of the embargo in general.

B. Customs

13. The Group interacted on a regular basis with the Ivorian Customs authorities with a view to ascertaining the level of checks exercised on imports, exports,

trans-shipments and the measures put in place for detecting violations of the sanctions regime. This included, inter alia, reviewing manifests, visiting the X-ray container scanner at Abidjan Port, gathering information on clearance procedures and understanding the general operational capacity.

14. The Group ascertained from the Ivorian Customs authorities that no specific national legislation had been adopted, nor any specific administrative measures/notifications prescribed, with a view to ensuring compliance with the sanctions regime.

15. Merchandise is considered as "high risk" only if it features in the list of prohibited goods in the Ivorian Customs tariff. In this system of checks, the Ivorian Customs authorities are not focusing on the interdiction of goods that are among the items subject to the embargo and consequently should be considered prohibited for import.

16. The Group considers that the major weakness of the embargo stems from the failure of the Ivorian authorities to sensitize Customs staff to be vigilant and not to allow the export and import of goods prohibited by the embargo. In this connection, UNOCI has not informed Ivorian Customs of the items subject to the embargo, which, in the opinion of the Group, is a prerequisite for instituting checks on the nature of embargoed materials.

C. Transit cargo

17. Transit cargo is broadly defined by the Group to be any cargo not intended for domestic consumption (in Côte d'Ivoire) but passing through the territory of Côte d'Ivoire to neighbouring and/or landlocked countries in the region. According to the statistics provided by the Abidjan Port Administration, there were approximately 5 million tons of transit goods of general merchandise and 1.1 million tons of petroleum-related goods (total 6.1 million tons) between 2000 and 2006. The Group notes that in 2003 the total tonnage of transit cargo decreased by approximately 85 per cent compared with 2002. In 2004, the tonnage of transit cargo increased by approximately 255 per cent from 2003. This upward trend continued until 2006, when the transit tonnage had recovered to approximately 70 per cent of the tonnage in 2002. Transit goods to Mali and Burkina Faso represent approximately 3.6 million and 2.5 million tons, respectively, over the period covered (2000-2006 inclusive). The Group considers 6.1 million tons of transit goods through Côte d'Ivoire to be significant, and continues to seek information from 2007 to date.

18. The Group took note of the fact that to date no Government Customs authorities have deployed to the borders of Côte d'Ivoire within the territories under the administrative control of Forces nouvelles (FN). Taking that into consideration, the Group asked for specific information from the Customs authorities of Côte d'Ivoire and neighbouring countries on the procedures undertaken to ensure that sufficient controls were exercised on "in transit" cargo.

19. Cargo declared to the Ivorian Customs authorities as "in transit" to another country and passing through Côte d'Ivoire are manifested and declared in Customs documentation for transit but not physically inspected by the Customs authorities upon arrival in Côte d'Ivoire. In some cases, "transit bonds" are required to be posted by the transporters in order to mitigate the risks associated with the diversion

of goods to domestic use. These bonds are however released on the strength of an acquittal (i.e. that a Customs control mechanism has been followed through to conclusion) of the transit documents by authorities of the receiving countries, and not based on first-hand confirmation of export by the Ivorian Customs. There is no monitoring/inspection by the Ivorian Customs authority at the border areas to determine whether any seals remain intact at the point of export. Consequently, any loss, pilferage, theft or otherwise cannot be detected, reported or investigated with any success.

20. The concerns of the Group relating to "transit cargo" stem from the fact that while the Ivorian Customs authorities assert that there is an acquittal of the transit documents to demonstrate that the cargo exited Côte d'Ivoire into the declared country of destination by the Customs authorities of the receiving country, the fact remains that no Ivorian Customs authorities are stationed at the borders with neighbouring countries in the territories administered by Forces nouvelles to view the transit cargo, to determine if the cargo is intact and to effect this acquittal.

21. The Group of Experts is concerned that transit cargo may be diverted for domestic use in Côte d'Ivoire, posing a special risk in the territories under the control of Force nouvelles. The Ivorian Customs authorities admitted that they were aware of shipments for which they were unable to confirm export from Côte d'Ivoire. The Customs authorities advised the Group that any detection of non-acquitted transit manifests were referred to their Investigations Unit for follow-up and investigation. Based on the lack of progress in deploying Government Customs authorities to the borders, it is unlikely that these investigations will bear any successful results. The Group reiterates that, as these transit goods are not inspected upon arrival in Côte d'Ivoire, there is no way to determine compliance with the sanctions regime.

22. The Group of Experts also determined from discussions with the Customs authorities of neighbouring countries that, on their part, there was no proactive or systematic exchange of export information with Ivorian Customs. Occasional queries were, however, made by Ivorian Customs on specific cargo with neighbouring customs administrations.

23. The above-mentioned risks may be mitigated through the application of "smart" GPS-enabled seals on transit cargo by Ivorian Customs, which may provide for quick determination of cargo diversions. Additionally, based on the current throughput at the scanner site (port of Abidjan), which is operating at less than half capacity, it would not be difficult to accommodate X-ray scanning of transit goods. This may give a snapshot of the contents of the transit containers and assist both Ivorian Customs and the UNOCI embargo cell in performing a non-intrusive form of inspection, which would not impede the flow of legitimate trade.

V. Verification of the air fleet capacity

24. The Group pursued its enquiries on the use of aircraft belonging to the Ivorian Air Force, as well as the possible presence of foreign technicians who could provide technical assistance. Furthermore, the Group, relying on data furnished by Agence pour la sécurité de la navigation aérienne en Afrique et à Madagascar (ASECNA) and the Civil Aviation Authorities of neighbouring countries, verified movement of aircraft both on international and domestic routes.

25. The Group has maintained a regular liaison with the authorities of ASECNA and the cargo handling agency (Régie administrative d'assistance d'escale), which is a branch of the State organization (Société d'exploitation et de développement aéroportuaire, aéronautique et météorologique (SODEXAM)). As a result of this liaison, the Group was able to identify the case discussed in paragraphs 39 and 40 below. The Group was informed that Government aircraft (both civil and military) do not file their manifests with the "Régie", nor do they use the assistance of the "Régie" for discharging any cargo. The "Régie" therefore is not aware of the nature of any cargo transported by Government aircraft. Given the fact that two Government aircraft conduct regularly scheduled flights abroad, it would be desirable that the unloading of cargo, particularly on return from flights abroad, be carried out after filing a manifest and in the presence of members of the UNOCI embargo cell stationed at Abidjan airport.

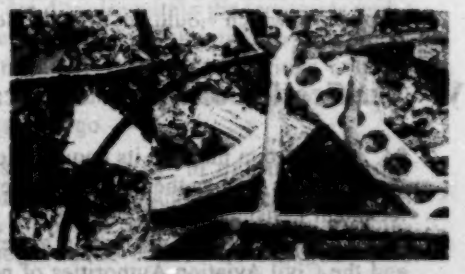
26. In connection with paragraph 78 of its report dated 5 October 2006 (S/2006/735), the Group proceeded to verify the status of the aircraft registered for civilian use by the Ivorian Air Force in order to determine their airworthiness and confirm that they are not employed for military use.

27. The Mi-24 helicopter (registration No. TU-VHO) has not flown since 26 October 2006. On inspection by the Group, it does not appear to have undergone any maintenance and it is the opinion of the Group that major repairs would have to be undertaken to make it airworthy.

28. The military aircraft designated for civilian use are an Antonov 12 (registration No. TU-VMA) and two IAR-330 helicopters (registration Nos. TU-VHI and TU-VHM). There have been no flights of the Antonov 12 for civilian purposes owing to a defect on the number 1 left engine. The crew, composed of non-Ivorian nationals, remains in Abidjan and occasionally comes to the airbase to keep the operational engines running.

29. One of the two IAR-330 helicopters was involved in a crash (IAR-330, registration No. TU-VHI) during a survey flight in the western region of Côte d'Ivoire on 17 February 2008. As shown by the following photographs, the helicopter was completely destroyed and Kalashnikov magazines were visible in the debris. The Group continues to investigate reports regarding the presence of military personnel and military equipment on board the helicopter.

Photos 1 and 2
Photographs taken after the crash of the IAR-330 helicopter (registration No. TU-VHI)



Source: UNOCI, 17 February 2008.

30. The issue of technical assistance provided by foreigners receives the continuing attention of the Group. This point was raised by the Group in its 18 October 2007 report (S/2007/611), and, in view of statements that the foreign technicians had departed Côte d'Ivoire, the Group requested confirmation of same in a written communication to the Ministry of Defence. Since there was no response, the matter was taken up again with the designated Ministry of Defence focal point, who regretted his inability to reply to the queries raised in the aforesaid communication. Among the reasons cited were that the current Ministry staff were not part of the complement during the relevant period and further that the records were not available.

31. The Group resubmitted a copy of the earlier communication and obtained an assurance from the Ministry of Defence focal point that a reply would be forthcoming. Given the admitted position of the Government, which acknowledged the presence of these technicians (see S/2006/964), and the fact that there was a contractual relationship between the Government and the company known as R.M. Holdings, it is highly improbable that the Ministry of Defence has no records of the details of the contract. The continued denial of any knowledge makes it difficult for the Group to proceed further.

32. The Group deemed it necessary to sensitize personnel of the UNOCI Air Operations Section (AirOps) and the Togolese battalion of UNOCI posted at the Abidjan Air Force Base to exercise vigilance on the activities there and to bring to its notice any activity that might have a bearing on this issue.

VI. Military assistance

33. The Group gathered credible information indicating that since the establishment of the sanctions regime by the Security Council in November 2004, members of the Defence and Security Forces of Côte d'Ivoire (FDS-CI) and the Defence and Security Forces of Forces nouvelles (FDS-FN) have been receiving training related to military activities delivered in other Member States, in violation of paragraph 7 of Security Council resolution 1572 (2004).

34. Pursuant to a request by the Group, the Moroccan Ministry of Defence confirmed such information. In particular, Moroccan authorities shared with the Group a list of 121 names, all members of FANCI, who, since 2002, have received military training in various centres of the Royal Moroccan Army. These training courses are ongoing, ranging in duration from five months to four years. Thirty-nine Ivorian military personnel are currently enrolled in these courses, 14 of whom will complete their training in 2010. Their curriculum includes officer training for staff positions in the Army headquarters, training for cadet officers and mechanics and training in ground-to-ground artillery, ground-to-air artillery, armoured weaponry, armoured vehicles mechanics, general weaponry, small calibre weaponry, ammunition and radio equipment operation.

35. The Group also has information that other members of the Ivorian security forces (both FDS-CI and FDS-FN) also undergo similar training in other countries, and it has submitted requests for detailed information to a number of Member States. The Experts count on the full cooperation of those States.

VII. Arms

36. The Group considers that the recent evolution of the general situation in Côte d'Ivoire, the lack of strategic needs for new military equipment and the investigations of the Group into this area can explain the absence of information on recent imports of military equipment. However, the possibility of such violations cannot be entirely ruled out.

A. Violations of the arms and related material embargo

37. At the present stage of its mandate, the Group is not in a position to reach any conclusions regarding cases of possible embargo violations directly involving the Ivorian security forces (FDS-CI and FDS-FN), although investigations are continuing. The Experts will use the second part of their mandate to conduct further investigations into these cases.

38. At the same time, the Group investigated all cases known to it of imports of security equipment and other relevant items. Only imports representing violations of the sanctions are cited in this report.

39. During the investigations undertaken on deliveries to Côte d'Ivoire by air, the Group identified import documents referring to the delivery from a supplier in the United States, on 21 February 2008, of items classified as "10.43 kg of dynamite/explosive". After further verification of the airway bill and the associated customs documents, the Group determined that the consignee of these goods was a company involved in the oil exploration/production industry, Schlumberger OEL, using such equipment within the framework of its service delivered.

40. During its exchanges with the managers of this company, the Group explained the modalities with respect to the sanctions and advised the representatives that in the absence of an exemption, the present import and any other previous imports constituted violations of the sanctions regime. The Group requested all relevant technical details, including quantities, which the representatives of Schlumberger OEL did not provide. The Group was also informed that the same company imported these goods previously. In this specific case, the interlocutors refused to accept that the importation was a violation of the sanctions regime and pointed out that they had the requisite permission from the Ivorian Ministry of Mines, and that there were no export restrictions imposed by the United States authorities. The Group continues to investigate other service providers who might have imported similar materials.

41. The Group deems that such imports constitute a violation of paragraph 7 of resolution 1572 (2004), by which the Security Council prohibited the direct or indirect supply, sale or transfer of arms or any related materiel to Côte d'Ivoire.

B. Case study: origin of the hand grenade recovered in Bondoukou, Côte d'Ivoire, on 1 January 2008

42. The Group took note of an incident that occurred in Bondoukou, Côte d'Ivoire, on 1 January 2008, in which several children were killed and others injured when an abandoned hand grenade they were playing with exploded. Another intact hand grenade was found at the site. The grenade was subsequently seized by local

authorities. After this accident, several Ivorian authorities and political actors publicly stated that the grenades did not belong to the Ivorian Security Forces (neither FDS-CI nor FDS-FN), implicitly suggesting that they had been abandoned by those who allegedly attempted to attack Côte d'Ivoire from the eastern border on 27 December 2007. Therefore, the Group proceeded to verify whether the grenades could have been brought into the country in violation of the sanctions regime.

43. The requests of the Group to inspect the recovered material addressed to the Regional Administrator of Bondoukou, under whose authority the hand grenade has been placed, have not been responded to.

44. The Group did not find any specific mention of such a model of grenade in the list of equipment submitted to UNOCI by the Ivorian armed forces (FANCI and FAFN) and was not able to determine whether it was registered in the UNOCI embargo cell database, since records of technical specifications such as model and serial numbers of these types of weapons are not maintained, as is done for small arms and light weapons. Nevertheless, the Group managed to obtain a photograph taken in Bondoukou before the hand grenade was recovered by Ivorian authorities.

45. Analysing the inscriptions visible on this photograph, the Group could determine the type of the grenade (M26A), and compared it with photographs taken by the Group during the embargo inspections in which it had participated over the course of previous mandates. Since the serial number of the hand grenade is not legible in the photograph taken in Bondoukou, it is not possible to identify the specific lot number to which the grenade belongs. On the basis of the current information available, the Group reached the conclusion that it is highly probable that the grenade originally belonged to the arsenal of FANCI. This conclusion would appear to be confirmed by photographs taken by the Group during an embargo inspection at the base of the First Armoured Battalion in Akouédo (Abidjan) on 23 August 2007, which clearly show that identical hand grenades were stocked in this base. Other information gathered by the Group on this episode would tend to confirm this conclusion.

46. During the second part of its mandate, the Group hopes to obtain the permission of the Regional Administrator for a physical inspection of the hand grenade and precisely determine whether it originally belonged to the lot observed at the Akouédo camp.

C. Law enforcement equipment and procurements by the Ivorian National Police

47. During the first part of its mandate, the Group was not, despite repeated requests, granted an opportunity to meet with representatives of the Ivorian National Police. The Group also focused its attention on private security companies, these being authorized, according to Ivorian legislation, to import military equipment prohibited by Security Council resolution 1572 (2004). The Group addressed a written request to the Ministry of Internal Security requesting details of the import authorizations granted by the Ivorian authorities to private security companies. To date, the Group has received no response to its request.

1. Follow-up of the Tusk Trading case

48. The Experts contacted Michel Vandenbosch of Tusk Trading Pty Ltd in January 2008 (see S/2006/964, paras. 6-11; S/2007/349, paras. 52-55; and S/2007/611, paras. 17-18). According to him, there was no progress in the negotiations between his company and the National Police of Côte d'Ivoire since July 2007. Mr. Vandenbosch also suggested to the Ivorian police authorities that their order be changed to request a supply of non-lethal goods. This did not evoke any positive response, possibly owing to the fact that another supplier had been sourced. Mr. Vandenbosch further confirmed his intention not to reimburse the funds received from the State of Côte d'Ivoire since he considered that that amount covered the expenditures Tusk Trading had to undertake as an investment during the negotiations that led to the signature of the contract in 2006.

2. Follow-up of the Imperial Armour case

49. The Group intends to pay a visit to the Republic of South Africa during the second half of its mandate in order to meet the relevant authorities and obtain additional information on the type of items delivered by the company Imperial Armour in 2006 (see S/2007/349, paras. 56-62, and S/2007/611, paras. 11-16). In particular, the Group intends to exchange information with the South African customs and police authorities, to whom they submitted a request for verification regarding these deliveries. The replies obtained from the South African Revenue Service do not correspond with the information in the Group's possession.

3. Inspections of the goods shipped by Yssouf Diabaté

50. An inspection of ammunition shipped by Mr. Diabaté was the subject matter of detailed discussions in the report of the Group dated 12 December 2006 (see S/2006/964, paras. 12-17). That report recommended that the goods lying in the custody of the Gendarmerie of Côte d'Ivoire be subjected to inspections by UNOCI at two-month intervals. The recommendation was not implemented, and it was only when the Group reminded the embargo cell that an inspection took place on 5 June 2007 (see S/2007/349, paras. 46-51). The UNOCI embargo inspection report recorded that 55 rounds of 9-mm ammunition were missing and that the rest of the rounds of other calibres were not available for inspection. The Group does not consider that that inspection was comprehensive.

51. The Group, having returned to Côte d'Ivoire in January 2008, realized that the bi-monthly inspections had not been carried out. An inspection took place on 18 March 2008 in the presence of one of the members of the Group. The inspection revealed that the Gendarmerie does not have custody of the total quantity of seized ammunition. According to its records, the Gendarmerie only received 280 rounds of 9-mm calibre ammunition and 380 rounds of ".38 special" calibre ammunition, which corresponds coincidentally to the type of ammunition it uses. Physical inspection has confirmed that there is no discrepancy between the ammunition the Gendarmerie received and the quantity in its custody. The remaining quantity of ammunition, 1,650 rounds of four different calibres, is apparently in the custody of judicial authorities (*Parquet d'Abidjan*). The Group, however, has not been able to reconcile these figures with the original documents available with Ivorian Customs, owing to the fact that these goods are at another location and that special

arrangements would need to be made. These arrangements should have been the basis of any inspection previously conducted by UNOCI.

52. In view of the discrepancies highlighted above, the Group can only emphasize the necessity of accurate, timely inspections and follow-up.

VIII. Defence-related expenditures and natural resources

A. Military expenditures

53. The Group had occasion to study details relating to military expenditure by the Government during the years 2007 and 2008. In December 2007, Côte d'Ivoire announced its budget for 2008. The budget totals 2,129.1 billion CFA Francs (FCFA) (approximately €3.2 billion).

54. The Ivorian military budget continues to constitute one of the major areas of government expenditure, after the Ministry of Finance and the Ministry of National Education. A comparison of the funds allocated for military expenditure in 2007 and 2008 reflects an increase of approximately 11 per cent, as illustrated in the table below.

Table
Funds allocated for defence expenditures

Year	*Defence expenditures (FCFA)*	*Breakdown (FCFA)*
2007	138 billion	131 billion for ordinary expenses
		7 billion for infrastructure expenses
2008	154 billion	147 billion for ordinary expenses
		7 billion for infrastructure expenses

Source: Côte d'Ivoire State budget.

55. A scheme for payment of incentives to the Ivorian armed forces, commonly referred to as *primes de front*, is currently in effect and has been the subject of discussions in various forums, both national and international. Expenses on this account are shown in the budget outlay for expenses linked to the crisis recovery programme, and not in the budget for the Ministry of Defence. The Group has observed that this scheme involves a substantial outlay of funds. In 2006, out of the total amount of 68.1 billion FCFA budgeted for the crisis recovery programme, a total of 42.9 billion FCFA was dedicated for payment of these incentives (62 per cent). In 2007, out of the total amount of 78 billion FCFA budgeted for the crisis recovery programme, a sum of 40 billion was projected as estimated expenditure for payment of these incentives (52 per cent). The 2008 budget provides for 30 billion FCFA, out of the total amount of 75 billion FCFA proposed for the expenses linked to the crisis recovery programme (40 per cent).

56. There has been no progress in establishing a single exchequer for the whole country, despite the advice of the international financial institutions. On 27 December 2007, the Government set up a technical committee for the re-establishment of a single government exchequer in the central, western and

northern zones. It is understood that this committee has submitted its conclusions to the Prime Minister, details of which are not yet available to the Group.

57. Meanwhile, the financial administration of the collection and accounting of revenues by Forces nouvelles continues. Forces nouvelles still maintains its own system of taxation, with specific rates for products, and has a system of charging for permits (laissez-passer) for all vehicles, whether passenger or cargo, which enter and pass through its zone or cross the border points under its control. A copy of a tax receipt shown to the Group at the checkpoint at Tienfinzo (border with Mali) is shown in the photograph below. An official appointed by the Zone Commander of Forces nouvelles is designated as the *Responsable des Affaires Financières* and is posted at the border to collect taxes. The Group was informed that taxes collected were deposited weekly at the regional office of "*La Centrale*" (see S/2007/349, para. 89) and subsequently sent to the FN headquarters in Bouaké. In the absence of the redeployment of the Government Customs staff to the zone under control of Forces nouvelles, border crossings are being manned by FN personnel. The Group has written to the National Secretary in charge of Economy and Finance of Forces nouvelles, requesting detailed information on its revenue and expenditure from 2004 onwards, and has also requested a meeting, which is expected to be held shortly.

Photo 3
Forces nouvelles' tax receipt

Source: Group of Experts, 5 February 2008.

B. Natural resources

58. During its previous mandate, the Group had met three out of the four quasi-fiscal institutions that are responsible for the collection of levies on coffee and cocoa. Not much information, however, could be gleaned from them, as all uniformly replied that balance sheets and relevant financial data could be provided only by the Ministry of Economy and Finance. A communication was accordingly addressed to the Ministry, but a response is still pending. The Minister of Economy and Finance, during a meeting with the Group during the present mandate, provided assurances that a response would be forthcoming. The Group will follow up with the designated focal point, to whom copies of earlier letters were handed over.

59. In its previous report, the Group had reported on its investigations into certain bank accounts held by some of the quasi-fiscal institutions of the coffee/cocoa sectors in order to ascertain whether utilization of their funds could be linked to the purchase of arms. Information on the accounts held by the Banque Centrale des Etats d'Afrique de l'Ouest was also sought from the National Director of the Bank during a meeting with the Group. The National Director asked the Group to submit written requests. To date, no reply to the Group's request has been received. The Group intends to follow up this issue, as it has been ascertained that some of the important accounts, such as the *Réserve de Prudence* and the *Sacherie Brousse*, are held in this bank. The Group takes this opportunity to reiterate the need for greater cooperation from all banking institutions.

60. Similarly, with respect to the petroleum sector, the Group is waiting for a response from the Ministry of Economy and Finance on the specific questions addressed to it, after the Petroleum Committee advised that all the pertinent information is available with that Ministry.

IX. Diamond embargo

61. By paragraph 1 of resolution 1782 (2007), the Security Council renewed until 31 October 2008 the provisions of paragraph 6 of resolution 1643 (2005), by which it decided that all States shall take the necessary measures to prevent the import of all rough diamonds from Côte d'Ivoire to their territory. As highlighted in its previous reports, the diamond embargo was and still is a key priority of the Group. The Group has therefore endeavoured to identify as many case studies as possible in diamond-producing countries and in the trading centres because Ivorian diamonds continue to be exported through the neighbouring countries and surface in the major trading centres.

A. Producing countries: Ghana, Mali and Liberia

62. Subsequent to earlier findings of the Group, as reflected in its reports dated 5 October 2006 (S/2006/735) and 14 June 2007 (S/2007/349), and the Kimberly Process review mission to Ghana in March 2007, the Group sought to ascertain the status of internal controls applied by Ghana, with particular reference to the registration of the galamsey (illegal miners). Discussions with the officials of the Precious Minerals Marketing Company Limited and the Minerals Commission reveal that still no progress on the identification and registration of the illegal galamsey has been made.

63. Until the galamsey are fully registered there can be no assurances that illegally mined foreign diamonds are not entering the system of Ghana and subsequently sent to the international trading centres. Another consequence is that Ghana will not be able in the future to produce reliable production statistics gathered at the source of mining. The Group can only conclude that to date, Ghana has not made significant progress on these important issues.

64. The vulnerability and weakness of Ghana's rough diamonds supply chain is further reinforced in the judicial investigation by the Belgian Federal Police in Antwerp on the company Peri Diamonds. This company was recently indicted by a

Belgian prosecutor and the evidence demonstrates how Ivorian rough diamonds were imported into the Antwerp market through Ghana, in violation of the diamond embargo. The investigation also proves how it was possible to finance and purchase illicit Ivorian diamonds worth millions of United States dollars outside the control mechanisms put in place through the centralized financial bank system of Ghana.

65. The Group takes note of the initiative of the European Commission to support Ghana and to assist the Ghanaian authorities in identifying and registering the different stakeholders in the diamond trade.

66. Mali was highlighted in previous reports of the Group of Experts on Côte d'Ivoire as one of the probable major exit points for Ivorian diamonds in violation of the sanctions regime. The country itself has very little production of rough diamonds, although the Malian authorities could neither provide the Group with any production data nor detail any measures to monitor their production. The Government of Mali has not taken any specific measures to prevent diamonds of foreign origin from entering the country, in spite of the specific United Nations sanctions and the requirements of compliance by Member States, as specified in Security Council resolution 1643 (2005), and reiterated in subsequent resolutions.

67. The Customs authorities in Mali, however, informed the Group that an individual applied, in December 2007, to export 31 rough diamonds, purported to be of Malian origin, through Bamako airport. The export of rough diamonds from Mali is illegal as the country is not a member of the Kimberley Process; Malian Customs therefore seized the consignment. Since the possibility of these diamonds being of Ivorian origin cannot be ruled out in view of certain distinguishing physical characteristics, the Group recommends that the Kimberley Process should send its technical working group to Bamako to examine the diamonds and convey its opinion. This would enable the Group to proceed further with its investigation.

Photo 4
Diamond parcel seized by the Malian Customs authorities at the Bamako international airport

Source: Group of Experts, 20 February 2008.

68. The Group obtained information about an export of 5,231.38 carats of rough diamonds from the company Balaji Gems Export-Import Inc., based in Liberia, to its

sister concern in the United Arab Emirates. This shipment was first presented to the Liberian authorities in September 2007, at which time a doubt was expressed by the Working Group of Diamond Experts about the origin of the diamonds, which was reiterated on interpretation of fluorescence data. This consignment was finally exported to the United Arab Emirates in October 2007 without any further investigations on these discrepancies.

69. The Group discussed this issue with the Liberian authorities and was given to understand that the consignment was one of the stockpile consignments for which the Kimberley Process had agreed to a separate clearance procedure. The Group has requested for details of the correspondence between the Ministry of Mines and Energy and the Kimberley Process.

70. This example is highlighted because it is the third case involving the same Balaji Group, headed by V. N. Akoliya. The two other cases involved shipments from Balaji Gemlust in Ghana to BGC International in the United Arab Emirates in 2006 (see S/2006/964, para. 41, and S/2007/349, paras. 121-122). V. N. Akoliya is the principal stakeholder in all three highlighted companies in Ghana, Liberia and Dubai. In spite of repeated concerns being expressed with regard to the origin of the diamonds, the shipments were released before any proper investigation was initiated.

B. International trading centres: Belgium and the United Arab Emirates

71. The Group collected information that led it to identify certain individuals linked to illicit trade in rough diamonds and observed their activities in the major diamond-trading centre of Antwerp in order to establish the nexus between these individuals and certain dealers. During these investigations, the Group uncovered an intent to violate Security Council sanctions on Ivorian diamonds. Diamonds, allegedly of Ivorian origin, were offered for sale to a certain dealer in Antwerp. Correspondence was exchanged but the diamonds were not physically brought to Antwerp, and ultimately the deal fell through. The Group is still investigating the case to determine whether the diamonds left Ivorian soil. This case is mentioned to illustrate the availability of Ivorian diamonds and the willingness of individuals to sell them, despite the sanctions. The visits to Belgium were arranged on short notice, but nevertheless, the Group received full cooperation from the Belgian Government and the official bodies of the diamond industry.

72. Regrettably, the Group was unable to undertake a similar exercise in the United Arab Emirates, which has the second largest market in rough diamonds after Belgium (Antwerp). The Group, being in possession of credible information that conflict diamonds from Côte d'Ivoire are transiting through Dubai, sent an official request on 4 February 2008, through the appropriate authorities, requesting a visit to the United Arab Emirates from 10 to 13 March 2008. In this communication, the reasons for the visit were detailed and specific information on certain companies was requested. This visit could not materialize as a response was received on 6 March 2008, after repeated contact, suggesting a deferment until such time as the report of the Kimberley Process review mission of January 2008 to the United Arab Emirates was received by the United Arab Emirates Ministry of Economy.

73. The Group of Experts and the Kimberley Process certainly have ongoing dialogue and cooperation between each other, but there is a distinct difference in their respective mandates. The Group is focused on specific issues and the progress of its work should not be contingent upon, or deferred, due to non-receipt of a report from the Kimberley Process. The Group requests that this distinction in mandates be considered and that the Government of the United Arab Emirates facilitate these meetings in a timely manner. The United Arab Emirates has undoubtedly an important role and responsibility in combating the spread of conflict diamonds. As such, the collaboration of the relevant authorities in the United Arab Emirates is crucial in the fulfilment of the mandate of the Group.

C. Joint field mission of the Group of Experts and the Kimberley Process to Côte d'Ivoire

74. The reported incidents demonstrate that there are continued attempts to export Ivorian rough diamonds despite the Security Council embargo. The Group case studies demonstrate that the entire region is still very vulnerable to the illicit trafficking of diamonds from Côte d'Ivoire. These concerns were repeatedly expressed during the Kimberley Process plenary meetings in Moscow (2005) and Gaborone (2006) and strengthened in November 2007 in Brussels the announcement of the Brussels initiative, which emphasizes a stronger and continued collaboration between the Kimberley Process, the United Nations and the countries neighbouring Côte d'Ivoire.[1]

75. In accordance with Security Council resolution 1782 (2007), the Group of Experts took the initiative to ask for a joint field mission with a delegation of the Kimberley Process to assess and update the current production and illicit export volumes from Côte d'Ivoire. This mission is planned during the second half of April 2008, and the results will be presented in the final report of the Group.

X. Individual sanctions

76. The Group continues its investigations into the assets, both direct and indirect, that could belong to the three individuals on the list of the sanctions Committee,[2] namely Charles Goudé Blé, Eugène Ngoran Djué Kouadio and Martin Kouakou Fofié. Information on the account held by Martin Kouakou Fofié in the Société Générale de Banques au Burkina, in Ouagadougou, is still outstanding, as the Bank has not responded to the Group's initial request and subsequent reminder. On the issue of royalties due to Mr. Blé for his book *Ma Part de Verite*, the Group has addressed a communication to the publishing house, Société nouvelle de presse et d'edition de Côte d'Ivoire, asking to know the outstanding payments due to him for 2007 and an indication of what measures have been taken to comply with paragraph 3 of Security Council resolution 1782 (2007). At the time of writing this report, no reply had been received.

77. It is pertinent to mention here that during previous mandates, the Group had conducted investigations into the financial assets directly held by the three

[1] http://www.kimberleyprocess.com/documents/plenary_intersessional_meeting_en.html.

[2] http://www.un.org/sc/committees/1572/listtable.html.

sanctioned individuals and had consequently discovered some bank accounts. Although these accounts did not contain substantial funds, and although their assets have yet to be frozen pursuant to relevant Security Council resolutions, there is little or no impact on the individuals concerned. Further, pursuant to paragraph 12 of resolution 1572 (2004), States are required to determine funds, other financial assets and economic resources that are necessary for basic expenses as elaborated in subparagraph (a) after notifying the Committee of the intention to authorize access to such funds. It would appear that the Government of Côte d'Ivoire has not initiated the action for application of this exemption clause, which leads the Group to believe that there is no control of the financial means at the disposal of the three individuals.

78. The issue of individual sanctions was discussed during the visits of the Group to the neighbouring countries, namely Burkina Faso, Ghana, Guinea, Liberia and Mali. It emerged from those discussions that there was a lack of awareness at various levels of government, there was little publicity regarding the sanctions regime and there was also inadequate sensitization of the personnel manning border entry points. In fact, during discussions with various customs and police authorities at some airports in the region, a desire was expressed to have details of the three listed individuals, particularly photographs. The Group would be remiss if it did not also mention the fact that during one of its meetings, it became evident that the United Nations police in Liberia was not aware of the names of the individuals under sanctions in Côte d'Ivoire. The Group took the initiative to supply these details wherever possible. This point is highlighted principally to emphasize one of the recommendations made by the Group in its report dated 18 October 2007 (S/2007/611), regarding the need to have a better mechanism for disseminating information about the individuals on the Committee sanctions list.

XI. Recommendations

79. In addition to the recommendations set out below, the Group believes that those contained in its previous report (S/2007/611) remain valid.

80. The Group calls upon those Member States, public and private institutions that have not responded to its requests for information to assist the Group in fulfilling its mandate by transmitting their replies as timely as possible.

A. Customs

81. The Group recommends specific sensitization or dissemination of information specific to embargoed goods to Ivorian Customs inspection staff on the part of UNOCI and the Ivorian Customs management.

82. The Group recommends, in connection with information provided in paragraph 36 of its report dated 18 October 2007 (S/2007/611), that UNOCI pursue the offer of the Director-General of the Ivorian Customs to establish a "specific monitoring unit".

83. In the absence of Government Customs personnel in the territory administrated by Forces nouvelles, the Group recommends that both the Ivorian Government and

UNOCI dedicate special monitoring procedures specific to transit cargo maximizing the utilization of the X-ray container scanner at the port of Abidjan.

B. Arms and military assistance

84. The Group reiterates the importance of States taking appropriate measures to sensitize their relevant Government institutions to prevent the direct or indirect supply, sale or transfer of arms or any related materiel to Côte d'Ivoire, in pursuance of paragraph 7 of resolution 1572 (2004).

85. The Group requests the Committee to reiterate to Member States the standing prohibition on the provision of any assistance, advice or training related to military activities, pursuant to paragraph 7 of resolution 1572 (2004).

86. The Group recommends that the UNOCI embargo cell diligently conduct inspections of the seized ammunition highlighted in paragraphs 50 to 52 above, particularly in light of the fact that in the absence of such monitoring, the seized goods risk being an unchecked source of supply of ammunition.

C. Diamonds

87. The Group recommends that both the European Commission and the Government of Ghana initiate concrete steps, in a timely manner, to move forward on the identification and registration of the galamsey and set up an efficient internal control system. This should be encouraged by the Kimberley Process.

88. The Group reminds all States to take the necessary measures in order to prevent the import of all rough diamonds from Côte d'Ivoire to their territory, in pursuance of paragraph 6 of resolution 1643 (2005).

89. The Group recommends that the Kimberley Process send its Technical Group to Bamako, to examine the seized shipment of diamonds and provide its technical opinion with respect to the origin of the diamonds. Since this is a crucial input for the Group's further investigations, which are time-bound, it is requested that this exercise be carried out at the earliest possible opportunity.

Annex

Meetings and consultations

Belgium

Government

Ministry of Foreign Affairs and Federal Police

Multilateral organizations

Kimberley Process secretariat for the European Union; Antwerp World Diamond Centre

Civil society

International Peace Information Service (NGO)

Burkina Faso

Government

Ministry of Foreign Affairs; Ministry of Internal Security; National Agency for Civil Aviation; Burkinabe Customs Authority; Directorate for Monetary and Financial Affairs

Multilateral organizations

Central Bank of the Western African States; United Nations Development Programme

Côte d'Ivoire

Government

Ministry of Economy and Finance; Ministry of Defence; Permanent Representative of Côte d'Ivoire to the United Nations; Direction of Mines; Ivorian Customs Authority; Air Force of Côte d'Ivoire; Société d'exploitation et de développement aéroportuaire, aéronautique et météorologique (SODEXAM); National Commission of the Press; Ivorian Press Agency

Multilateral entities

Central Bank of the Western African States; Agence pour la securité de la navigation aérienne en Afrique et à Madagascar (ASECNA); World Bank; International Criminal Police Organization (Interpol) subregional bureau for Central and Western Africa; United Nations Operation in Côte d'Ivoire (UNOCI); Licorne forces

Diplomatic missions

Embassy of the United States of America; Embassy of France; Embassy of Ghana; Embassy of Liberia; Embassy of Burkina Faso; Permanent Representative of the

Facilitator for the Ouagadougou Political Agreement; Permanent delegation of the European Union

Private sector

Total-CI, ICM Transit, Schlumberger OEL and Group 4 Securicor

France

Government

Ministry of Foreign Affairs

Ghana

Government

Ministry of Foreign Affairs; Mineral Commission; Precious Minerals Marketing Company Limited; Ghanaian Custom Authorities

Multilateral and bilateral entities

Permanent delegation of the European Union

Private sector

Balaji Gemlust Company

Guinea

Government

Ministry of Foreign Affairs; Ministry of Mines; National Police; National Gendarmerie; National Commission to Combat the Proliferation of Small Arms and Light Weapons; National Diamond and Precious Stones Valuation Office; National Custom Authorities; National Agency for Civil Aviation

Liberia

Government

Ministry of Foreign Affairs; Ministry of Justice; Ministry of Landmines and Energy; Liberian National Police; Liberia Reconstruction and Development Committee

Multilateral and bilateral entities

United Nations Mission in Liberia (UNMIL); United Nations Panel of Experts on Liberia

Private sector

Balaji Gem Export and Import Company

Mali

Government

Ministry of Foreign Affairs; National Directorate on Mines and Geology; National Commission to Combat the Proliferation of Small Arms and Light Weapons; National Custom Authorities; Centre for strategic studies of the Ministry of Foreign Affairs; National Agency for Civil Aviation

Multilateral and bilateral entities

United Nations Development Programme (UNDP — Mali); World Bank

United Nations S/2008/236

Security Council

Distr.: General
11 April 2008

Original: English

Letter dated 8 April 2008 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to paragraph 34 of the report of the Secretary-General to the Security Council dated 20 July 2000 (S/2000/718), in which the Secretary-General expressed the intention to appoint a senior official to be based in Beirut to help to coordinate United Nations activities with regard to Lebanon.

It is my intention to now appoint Johan Verbeke as my Special Coordinator for Lebanon. Mr. Verbeke is currently Permanent Representative of Belgium to the United Nations. He will replace Geir Pedersen. In his capacity as Special Coordinator, he will be my representative in Lebanon responsible for coordinating the work of the United Nations in the country and representing me on all political aspects of the United Nations work there. Among other functions, the Special Coordinator for Lebanon will ensure that the activities of the United Nations country team in Lebanon are well coordinated with the Government of Lebanon, donors and international financial institutions in line with the overall objectives of the United Nations in Lebanon.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-30330 (E) 140408

United Nations S/2008/237

Security Council

Distr.: General
11 April 2008

Original: English

Letter dated 11 April 2008 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 8 April 2008 (S/2008/236) concerning your intention to appoint Johan Verbeke of Belgium as your Special Coordinator for Lebanon has been brought to the attention of the members of the Security Council. They take note of the intention and information contained in your letter.

(*Signed*) Dumisani Shadrack **Kumalo**
President of the Security Council

08-30337 (E) 140408

United Nations S/2008/238

Security Council

Distr.: General
11 April 2008

Original: English

Letter dated 8 April 2008 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1284 (1999), in paragraph 14 of which the Security Council requested the Secretary-General to appoint a high-level coordinator for compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals or their remains, as well as the return of all Kuwaiti property, including archives seized by Iraq.

After conducting consultations with parties concerned, I have appointed Ambassador Gennady P. Tarasov of the Russian Federation to this position at the level of Under-Secretary-General. He will succeed the late Ambassador Yuli M. Vorontsov.

I have taken note of the Security Council's request, contained in its letter dated 26 March 2008 (S/2008/206) for a comprehensive report, 12 months after the appointment of the new High-level Coordinator, to include an update on progress during that period, as well as an assessment of the progress that might be achieved, including the conditions that might be necessary and a timescale for the completion of the mandate.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-30343 (E) 140408

United Nations S/2008/239

Security Council

Distr.: General
11 April 2008

Original: English

Letter dated 11 April 2008 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 8 April 2008 (S/2008/238), concerning the appointment of Gennady P. Tarasov of the Russian Federation as your High-level Coordinator pursuant to paragraph 14 of resolution 1284 (1999), has been brought to the attention of the members of the Security Council. They take note of the appointment indicated in your letter.

(*Signed*) Dumisani Shadrack **Kumalo**
President of the Security Council

08-30350 (E) 140408

United Nations A/62/798–S/2008/240

General Assembly
Security Council

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11 April 2008

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General Assembly
Sixty-second session
Agenda item 108
Measures to eliminate international terrorism

Security Council
Sixty-third year

Identical letters dated 9 April 2008 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government and in pursuance of the previous letters of this Mission, including letters circulated as documents A/61/571-S/2006/884, A/61/954-S/2007/354 and A/62/705-S/2008/117, I wish to inform you that the Israeli regime has continued with its insolent, outrageous and unprovoked threats against the Islamic Republic of Iran. In this regard, and in yet another manifestation of the terrorist, aggressive and criminal nature of the Israeli regime and in gross violation of the most basic principles of international law and the United Nations Charter, the Israeli Infrastructure Minister, Benjamin Ben-Eliezer, made a blatant threat against Iran, on 7 April 2008, by saying that his regime "will destroy the Iranian nation".

This malicious statement, which follows many others made in the past by other Israeli regime representatives — some of which are reflected in our aforesaid letters — is in full contempt of the basic provisions of the Charter of the United Nations, particularly the provisions which call for refraining "from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations".

The impunity with which the Israeli regime has been allowed to continue its aggressive policies in threatening other nations, and the inaction of the Security Council in this regard, has emboldened the said regime to pursue this dangerous course. Therefore, the Security Council should react to these vicious statements by unambiguously condemning them and calling on the said regime to cease and desist immediately from the threat of using force against Members of the United Nations.

08-30324 (E) 140408

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 108, and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

United Nations S/2008/241

Security Council

Distr.: General
11 April 2008

Original: English

Letter dated 11 April 2008 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I have the honour to write to transmit to you a letter from the representative of the Frente POLISARIO Front dated 10 April 2008 (see annex).

I would be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Dumisani S. **Kumalo**
Ambassador and Permanent Representative
of the Republic of South Africa

08-30375 (E) 140408

Annex to the letter dated 11 April 2008 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you the letter addressed to you by President Mohamed Abdelaziz, Secretary-General of the Frente POLISARIO:

Bir Lehlu, 10 April 2008

I have the honour to transmit to you, prior to the consideration by the Council of the situation concerning Western Sahara, the view of the Frente POLISARIO regarding the most recent round of negotiations with Morocco, which concluded in Manhasset on 18 March 2008.

The Frente POLISARIO is pleased that this peaceful process is under way, and we welcome and support the efforts of the United Nations, and in particular the Personal Envoy of the Secretary-General, Peter van Walsum.

The Frente POLISARIO is committed to finding a peaceful, sustainable and durable solution to the question of Western Sahara.

At the most recent round of talks, the Frente POLISARIO explained its ideas for future administrative, political, economic, social and security arrangements in the Territory of Western Sahara, in order to elaborate and fill out its 10 April 2007 proposal.

We set out in detail our proposals for government institutions, the administration of justice and the rule of law as well as arrangements for the management of the Territory's natural, including mineral, resources.

Our proposals set out arrangements for a State where, as established in the provisional Constitution, democracy and the rule of law are the founding principles, where natural resources are exploited for the benefit of the inhabitants of the Territory and where the interests of Morocco and other neighbouring States are protected, bearing in mind the prospects of Maghreb integration process.

In our view, democracy and the rule of law are the only bases for long-term stability and legitimacy of government in the Territory. Naturally, such a State can only be founded in the exercise of the principle of self-determination — a right repeatedly recognized by Security Council and General Assembly resolutions.

In contrast, Morocco continues to insist that its autonomy proposal is the only possible solution. This proposal, which presupposes as a precondition the "Moroccanness" of the Territory, denies the legitimate right of self-determination, and thereby the possibility of a long-term democratic and thus permanent solution to the status of the Territory.

We assume that the Council wishes only to encourage and then endorse a sustainable, peaceful and stable solution to this long-standing conflict. Such a solution is only available if the right to self-determination is respected for the Saharawi people and if the State that follows the exercise of such a right is a democratic and lawful one.

That is the essence of the proposal of the Frente POLISARIO.

We remain willing to discuss the details of these arrangements with Morocco. We are ready also to implement in full the confidence-building measures proposed by the United Nations. We note with regret that Morocco has refused to discuss these confidence-building measures at this and previous rounds of United Nations negotiations.

We also condemn the continued pattern of human rights abuses of Saharawi civilian populations inside the occupied Territory.

We urge the Security Council to implement the recommendations of the 2006 report of the United Nations High Commissioner for Human Rights, in particular that MUNIRSO be mandated to monitor the human rights of inhabitants of Western Sahara: this is a minimum that must be done to protect the Saharawi people from repression and mistreatment. It is frankly to the discredit of the United Nations that it has not implemented its own High Commissioner's recommendations in this regard.

We are ready to continue the United Nations negotiating process and elaborate further — but above all discuss — our positive and constructive ideas for arrangements to govern the Territory.

We have taken into account the concerns expressed by Morocco during the talks so far. We recognize, in this connection, that Morocco and its citizens have requirements that will need to be respected. In this connection, human rights of Moroccan inhabitants of the Territory should be fully protected. We also recognize and are willing to take account of Morocco's security concerns, including over its southern border.

Despite Morocco's illegal occupation of Western Sahara, we expressed during the latest round of negotiations that we are willing to begin today security cooperation with Morocco to combat potential security threats in the trans-Sahara region.

We reiterate that any long-standing solution to the conflict of Western Sahara and the stability and security of the region require a democratic and legitimate Government of Western Sahara. This can only happen with a process of self-determination allowing the free choice of the people of Western Sahara as clearly assumed by the United Nations with regard to the question of decolonization.

We urge you, and through you members of the Security Council, to continue to support the negotiating process, to maintain the integrity of Security resolutions 1754 (2007) and 1783 (2007) and, in this regard, to encourage both parties to abide by international legality with regard to the question of decolonization and, thus, to demonstrate the flexibility and imagination that we believe the Frente POLISARIO has been demonstrating in this process since its very beginning in 1990. Only then is the prospect of success possible.

Mohamed **Abdelaziz**
Secretary-General of the Frente POLISARIO
President of SADR

I would be grateful to you if you could bring this letter to the attention of the members of the Council.

(*Signed*) Ahmed **Boukhari**
Representative of the Frente POLISARIO

United Nations S/2008/242

Security Council

Distr.: General
11 April 2008

Original: English

Letter dated 11 April 2008 from the Secretary-General to the President of the Security Council

With reference to Security Council resolutions 1575 (2004), 1639 (2005) and 1722 (2006), I have the honour to convey the attached letter dated 8 April 2008, which I received from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union, transmitting the report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR) (see annex). The report covers the period from 1 December 2007 to 29 February 2008.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-30393 (E) 170408

Annex

Letter dated 8 April 2008 from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union addressed to the Secretary-General of the United Nations

In accordance with the provisions of Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006) and 1785 (2007), I attach herewith the thirteenth three-monthly report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR) (see enclosure). The report covers the period from 1 December 2007 to 29 February 2008. I should be grateful if you would transmit the report to the President of the Security Council.

(*Signed*) Javier Solana

Enclosure

Report of the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union on the activities of the European Union military mission in Bosnia and Herzegovina

I. Introduction

1. This report covers the period 1 December 2007 to 29 February 2008.

2. United Nations Security Council resolutions 1575 (2004), 1639 (2005), 1722 (2006) and 1785 (2007) request that Member States, acting through or in cooperation with the European Union (EU) report to the Council on the activities of EUFOR, through the appropriate channels and at least at three-monthly intervals. This document is the thirteenth such report.

II. Political background

3. There was progress on police reform during the reporting period. The European Commission assessed that the Mostar Declaration and the Action Plan on police restructuring (both of which were adopted by the Bosnia and Herzegovina Council of Ministers on 3 December) together represented progress towards meeting EU conditionality, as a result of which EU Commissioner for Enlargement Olli Rehn initialled the text of the Stabilization and Association Agreement with Bosnia and Herzegovina on 4 December.

4. On 26 January, the Main Board of SNSD (Bosnian Serb political party), in its official conclusions, called for an asymmetric federation and claimed the right to self-determination for the Republika Srpska. Following the Kosovo declaration of independence on 17 February, the Republika Srpska National Assembly issued a resolution condemning the independence Declaration and calling on States not to recognize Kosovo, while at the same time stating that, in the event of a "substantial number" so doing, the Republika Srpska would interpret this as a change in international law and practice and claim the right "to determine its legal status within the State through a referendum".

5. In a separate development, SDA (Bosniak political party) reversed its position regarding police reform. In the Council of Ministers working group, SDA adopted a negative position and, in early February, SDA President Tihić announced that his party was not willing to support the draft legislation.

6. The deteriorating political situation has led to increased tension between Serb and Bosniak political actors over the future constitutional makeup of the country and the future role and competencies of the State, and reduced cooperation between competing ethnic parties.

7. On 27 February, the Peace Implementation Council Steering Board decided that transition from the Office of the High Representative towards a strengthened EU Special Representative should continue, but that the most critical issues contained in the workplan of the Office of the High Representative be considered objectives to be achieved by the Bosnia and Herzegovina authorities prior to transition. In addition to the five objectives, two conditions were set: signature of the Stabilization and Association Agreement and a positive assessment of the

situation in Bosnia and Herzegovina. The Steering Board expressed concern about both official calls for secession and statements that called into question the existence of Entities.

III. Security situation and activities of the mission

8. Although there were some protests and demonstrations in Republika Srpska as a result of the Kosovo declaration of independence, the overall security situation in Bosnia and Herzegovina remained calm and stable throughout the reporting period. Local police proved capable of handling the demonstrations. EUFOR was not requested to assist, but remained ready to do so if necessary. EUFOR continues to monitor the situation.

9. The current force of some 2,500 EUFOR troops is concentrated in Sarajevo, with liaison and observation teams deployed throughout Bosnia and Herzegovina. EUFOR continues to conduct operations in line with its mandate: providing deterrence; ensuring continued compliance in relation to the responsibilities specified in the General Framework Agreement for Peace, Annexes 1a and 2; and contributing to a safe and secure environment, EUFOR continues to support the Bosnia and Herzegovina law enforcement agencies in fighting organized crime in close cooperation with the EU police mission.

10. In the area of Joint Military Affairs, EUFOR handed over the responsibility for military movement control of weapons and ammunition to Bosnia and Herzegovina authorities on 25 January 2008. EUFOR continued its responsibilities for the inspection of weapons and ammunition storage sites. The draft Law on Civilian Movement Control was submitted in the Council of Ministers. The law is one of the legal preconditions for the full transfer of responsibility for joint military affairs to the Bosnia and Herzegovina authorities.

11. During the reporting period EUFOR undertook joint training activities with the armed forces of Bosnia and Herzegovina in order to increase local capacity to maintain security and safeguard the safe and secure environment.

12. On 4 December, Major General Ignacio Martín Villalaín succeeded Rear Admiral Hans-Jochen Witthauer as Force Commander.

IV. Outlook

13. The security situation is expected to remain stable despite the fragility of Bosnia and Herzegovina State institutions and the prospects of continuing political tension.

United Nations S/2008/243

Security Council

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15 April 2008

Original: English

Letter dated 10 April 2008 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the President of the Security Council

In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to refer to the summary statement by the Secretary-General concerning the list of items of which the Security Council is currently seized and on the stage reached in their consideration (S/2008/10).

In this connection, I would like to reiterate the Committee's continuing objection to the deletion from the aforementioned list of those items that relate to the exercise of the inalienable rights of the Palestinian people, the question of Palestine and the situation in the Middle East, which are of special concern not only to the Committee but also to the majority of Member States. The Committee believes that pending a comprehensive, just and lasting settlement of the Arab-Israeli conflict, the core of which is the question of Palestine, in accordance with international legitimacy, these items should remain on the list of matters of which the Council is seized, as they continue to engage the Council's primary responsibility with regard to the maintenance of international peace and security.

Any decision to delete those items, especially at this critical point, would go well beyond procedural exercise and would have far-reaching political implications. On behalf of the Committee, I would like once again to express the firm hope that decisions of such fundamental importance will be taken in thorough consultation with all the parties concerned.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Paul **Badji**
Chairman
Committee on the Exercise of the Inalienable Rights
of the Palestinian People

08-30565 (E) 170408

United Nations S/2008/244

Security Council

Distr.: General
14 April 2008

Original: English

Letter dated 9 April 2008 from the Secretary-General to the President of the Security Council

I have the honour to refer to the United Nations Peacekeeping Force in Cyprus (UNFICYP), established by the Security Council resolution 186 (1964) of 4 March 1964 and most recently extended by resolution 1789 (2007) of 14 December 2007.

Following the usual consultations, I would like to inform you that I intend to appoint Tayé-Brook Zerihoun (Ethiopia) as my Special Representative in Cyprus and head of UNFICYP. He will replace Michael Møller (Denmark), who completed his assignment on 31 March 2008. I would like to take this opportunity to express my appreciation to Mr. Møller for his dedication and effective leadership of UNFICYP.

I should be grateful if you would bring this matter to the attention of the Security Council.

(*Signed*) **Ban** Ki-moon

08-30450 (E) 150408

United Nations S/2008/245

Security Council

Distr.: General
14 April 2008

Original: English

Letter dated 14 April 2008 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 9 April 2008 (S/2008/244) concerning your intention to appoint Tayé-Brook Zerihoun (Ethiopia) as your Special Representative in Cyprus and head of the United Nations Peacekeeping Force in Cyprus has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Dumisani Shadrack **Kumalo**
President of the Security Council

08-30456 (E) 150408

United Nations S/2008/246

Security Council

Distr.: General
14 April 2008

Original: English

Letter dated 9 April 2008 from the Secretary-General to the President of the Security Council

I have the honour to refer to the United Nations Peacekeeping Force in Cyprus (UNFICYP), established by Security Council resolution 186 (1964) of 4 March 1964 and most recently extended by resolution 1789 (2007) of 14 December 2007.

Following the usual consultations, I would like to inform you of my intention to appoint Rear Admiral Mario Sánchez Debernardi (Peru) as the new UNFICYP Force Commander. He replaces Major General Rafael Barni (Argentina), who completed his assignment on 31 March 2008. I would like to take this opportunity to express my gratitude to Major General Barni for his dedication and effective leadership.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-30462 (E) 150408

United Nations S/2008/247

Security Council

Distr.: General
14 April 2008

Original: English

Letter dated 14 April 2008 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 9 April 2008 (S/2008/246) concerning your intention to appoint Rear Admiral Mario Sánchez Debernardi of Peru to the post of Force Commander of the United Nations Peacekeeping Force in Cyprus has been brought to the attention of the members of the Security Council. They take note of the intention contained in your letter.

(*Signed*) Dumisani Shadrack **Kumalo**
President of the Security Council

08-30474 (E) 150408

United Nations S/2008/248

Security Council

Distr.: General
14 April 2008

Original: English

Croatia, France, Germany, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its relevant resolutions including resolution 1781 of 15 October 2007 (S/RES/1781),

Welcoming the reports of the Secretary-General on the activities of the United Nations Observer Mission in Georgia of 23 January 2008 (S/2008/38) and 2 April 2008 (S/2008/219),

Reiterating the importance of maintaining the separation of forces and the preservation of the ceasefire,

Supporting the sustained efforts of the Secretary-General and of his Special Representative with the assistance of the Group of Friends of the Secretary-General as well as the Russian Federation in its capacity as facilitator and of the OSCE, *underlining* the increased importance of the meetings in the Geneva format as the forum for meaningful political dialogue and welcoming the Georgian and Abkhaz renewed commitment to this process,

Noting that whereas the United Nations and the Group of Friends of the Secretary-General will continue to support the process of conflict resolution between the Georgian and Abkhaz sides, the primary responsibility to make use of this support and to implement measures to advance the process, in particular measures to build confidence, remains with both sides,

Regretting the continued lack of progress in implementing confidence-building measures, and *underlining* the importance of constructive goodwill between the sides and respect for each other's concerns,

Stressing the importance of close and effective cooperation between UNOMIG and the CIS peacekeeping force as they currently play an important stabilizing role in the conflict zone, and *recalling* that a lasting and comprehensive settlement of the conflict will require appropriate security guarantees,

Stressing that economic development is urgently required in Abkhazia, Georgia, to improve the livelihoods of the communities affected by the conflict, in particular refugees and internally displaced persons,

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders and *supports* all efforts by the United Nations and the Group of Friends of the Secretary-General, which are guided by their determination to promote a settlement of the Georgian-Abkhaz conflict only by peaceful means and within the framework of the Security Council resolutions;

2. *Reaffirms* its strong support for UNOMIG, and *again urges* the parties to cooperate fully with the Mission and to actively and sustainably engage in the political process led by the Special Representative of the Secretary-General; and *welcomes* UNOMIG's continued consultations with the parties on strengthening its observation capacity;

3. *Welcomes* the recent improvements in the overall security situation; *calls on* both sides to consolidate and broaden those improvements; *underlines* the need for a period of sustained stability along the ceasefire line and in the Kodori valley; and *stresses* the necessity to keep under close observation the situation in the Upper Kodori valley which has to be in line with the Moscow agreement on ceasefire and separation of forces of 14 May 1994;

4. *Welcomes* the renewed commitment given by both sides during the meeting chaired by the United Nations in Geneva on 18 and 19 February 2008 to resume regular consultations within the Quadripartite meetings on security issues without delay, and *urges once more* both sides to fulfil finally this commitment;

5. *Expresses* its concern at any violation of the ceasefire and separation of forces regime in the Zone of Conflict;

6. *Strongly urges* all parties to consider and address seriously each other's legitimate security concerns, to refrain from any acts of violence or provocation, including political action or rhetoric, to comply fully with previous agreements regarding ceasefire and non-use of violence, and to maintain the security zone and the restricted weapons zone free of any unauthorized military activities; and in this regard *recalls* the recommendations of the Secretary-General contained in S/2007/439 and his subsequent reports;

7. *Calls on* both sides to finalize without delay the document on the non-use of violence; and *calls on* both sides to finalize without delay the document on the return of refugees and internally displaced persons;

8. *Stresses anew* the urgent need to alleviate the plight of refugees and internally displaced persons and the need for a perspective of life in security and dignity in particular for a new generation growing up outside Abkhazia, Georgia;

9. *Reiterates and reaffirms* as fundamentally important the right of return for all the refugees and the internally displaced persons to Abkhazia, Georgia, *reaffirms* the importance of such people's return to their homes and property and that individual property rights have not been affected by the fact that owners had to flee during the conflict and that the residency rights and the identity of those owners will be respected, and *calls on* both sides to implement the UNHCR's *Strategic Directions* for their return in the first instance to the Gali region;

10. *Calls upon* the parties to increase their bilateral contacts by making full use of all existing mechanisms as described in the relevant Security Council resolutions in order to come to a peaceful settlement, and to commit themselves to

fulfil within a reliable time frame the conditions necessary for the safe, dignified and swift return of refugees and internally displaced persons;

11. *Firmly convinced* that the confidence-building measures proposed by the Group of Friends of the Secretary-General and endorsed through resolution 1752 of 13 April 2007, will serve the development of broader and unbiased contacts between the communities of the divided country, *regrets* the lack of progress made with regard to confidence-building measures and *urges again* the Georgian and Abkhaz sides to implement these measures without conditions;

12. *Recalls*, with a view to achieving a lasting and comprehensive settlement, its support for the principles contained in the "Paper on Basic Principles for the Distribution of Competencies between Tbilisi and Sukhumi", and *welcomes* additional ideas that the sides would be willing to offer with a view to conducting creatively and constructively a political dialogue under the aegis of the United Nations;

13. *Welcomes* existing and *encourages* further contacts between representatives of civil society, and *appeals* to both sides to continue to promote without reservation the active engagement of citizens and officials in such contacts;

14. *Underlines* that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement throughout the zone of conflict of UNOMIG, the CIS peacekeeping force and other international personnel and *calls on* both sides to fulfil their obligations in this regard and to extend full cooperation to UNOMIG and the CIS peacekeeping force;

15. *Welcomes* the efforts being undertaken by UNOMIG to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, *requests* the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and *urges* troop-contributing countries to take appropriate preventive action including the conduct of predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

16. *Decides* to extend the mandate of UNOMIG for a new period terminating on 15 October 2008;

17. *Requests* the Secretary-General to make use of this mandate in order to encourage and support the parties in implementing measures to build confidence and to establish an intensive and meaningful dialogue, with a view to achieve a lasting and comprehensive settlement, including the facilitation of a meeting at the highest level, and to inform the Council in his next report on the situation in Abkhazia, Georgia, on progress made in this respect;

18. *Strongly supports* the efforts of the Special Representative of the Secretary-General and *encourages* the Group of Friends of the Secretary-General to continue giving him their steadfast and unified support;

19. *Decides* to remain actively seized of the matter.

United Nations S/2008/249

Security Council

Distr.: General
14 April 2008

Original: English

Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur

I. Introduction

1. The present report, which covers the period from January to March 2008, is submitted pursuant to paragraph 21 of Security Council resolution 1769 (2007), by which the Council requested me to report every 90 days on developments in Darfur, the progress made in the implementation of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the status of the political process.

II. Ceasefire and the situation on the ground in Darfur

A. Security situation

2. The security situation in Darfur during the reporting period was extremely volatile, especially in the State of Western Darfur. Tensions between Chad and the Sudan reignited at the end of December 2007, when the rebel movement known as the Justice and Equality Movement (JEM) initiated an offensive against the Sudanese Armed Forces in Western Darfur. During the hostilities, JEM took control of Seraf Jidad, Sirba and Seleia, which lie in the northern corridor of Western Darfur, and threatened to attack El Geneina. By mid-January 2008, the Sudanese Armed Forces had mobilized a large force, including attack aviation, and begun to retake positions under JEM control. On 12 and 24 January, the Sudanese Armed Forces attacked Seraf Jidad.

3. Approximately 115 fatalities were reported to the United Nations and humanitarian agencies during their visits to the area following the attack. On 8 and 9 February, the Sudanese Armed Forces moved north to attack Sirba and Seleia, pushing JEM back into Jebel Moon. The actions of JEM and the Sudanese Armed Forces displaced thousands of civilians, both within the Sudan and into Chad. By the end of the reporting period, the Sudanese Armed Forces were still engaging JEM and elements of the Sudan Liberation Movement/Army (SLM/A) in and around Jebel Moon. On 19 March, JEM reportedly ambushed a Sudanese Armed Forces convoy 65 km north of El Geneina in Western Darfur, killing 19 Government soldiers. Reports during February and March documented numerous military Sudanese Armed Forces convoys moving from Southern and Northern Darfur towards El Geneina in Western Darfur.

4. Chadian armed opposition groups staged a failed offensive on N'Djamena on 29 January from their base in the area south of El Geneina. Following the attempt on N'Djamena, large numbers of Chadian armed groups are reported to have returned to Western Darfur to resupply. The possibility of another offensive into Chad cannot be dismissed.

5. Hostilities between rebel factions have also occurred during the reporting period. Heavy fighting was reported in Shurum, which lies 80 km south-east of Nyala in Southern Darfur, on 19 March between members of the SLM/A-Minni Minawi and SLM-Free Will factions. It was reported that nine people were killed during the fighting.

B. Attack on UNAMID convoy

6. UNAMID was challenged almost immediately following the transfer of authority from the African Union Mission in the Sudan (AMIS) on 31 December, when, on 7 January, the Sudanese Armed Forces fired on the first UNAMID resupply convoy, 2 km from Tine in Northern Darfur. A civilian driver was wounded when the fuel tanker he was driving was hit by a rocket-propelled grenade. The UNAMID convoy escort did not return fire.

7. At the direction of the UNAMID Force Commander, a review was carried out to investigate the causes of the attack. The review concluded that, although the convoy had been travelling after dark owing to delays caused by vehicle breakdowns, the attack had been unprovoked. UNAMID protested the attack and sought assurances from the Government that such an incident would not be repeated. The mission has continued to conduct resupply convoys in Darfur without incident.

C. Activities of the African Union-United Nations Hybrid Operation in Darfur

8. Despite facing difficulties in obtaining access to the areas affected by fighting during the reporting period, UNAMID has responded to the instability in Western Darfur by increasing its patrol presence in the northern corridor of the State, and plans have been adjusted to deploy a permanent contingent as soon as possible. Following a visit by the Joint Special Representative, the Deputy Force Commander and the Police Commissioner to Seleia on 26 February, military and police vehicle patrols originating from Kulbus and El Geneina have been conducted on a regular basis in the northern corridor of Western Darfur. Liaison is being maintained with the Sudanese Armed Forces in the region, and patrols have made some contact with the JEM leadership near Jebel Moon. On 19 March, the Deputy Joint Special Representative and the military Chief of Staff visited Seleia in order to explore options for deploying UNAMID in the area on a more permanent basis.

9. The situation in Western Darfur continues to be of great concern to UNAMID, and plans are under way to reinforce the Kulbus area with an additional platoon. UNAMID is also planning to deploy a minimum of one company (120 soldiers) with a police detachment (30 officers) into Seleia in order to provide a full-time presence, monitor and report on the activities of the Sudanese Armed Forces and

rebel movements, and facilitate the voluntary return of displaced civilians. Those plans are largely dependent on logistical support capabilities, including the time required to construct accommodations. The mission intends, as a more durable measure, to place a new battalion in two locations in Kulbus and a new camp in Seleia in the second half of 2008, so that its area of operations would cover the entire Jebel Moon area.

10. The mission has also taken measures to improve its defensive infrastructure. In particular, it has enhanced the physical perimeter of each deployment location by erecting berms and Hesco Bastion walls, raising observation towers, creating trench systems and illuminating base perimeters with floodlights. Additionally, the mission intends for all bases to be manned by at least a half battalion in order to improve force protection and make a higher percentage of forces available for proactive operations.

11. UNAMID has significantly increased its patrols throughout Darfur, which were virtually non-existent at the time of the transfer of authority. In January, UNAMID police implemented a three-phase plan for patrolling camps for internally displaced persons. Both the military and the police components have expanded confidence-building patrols, which now cover more than 80 per cent of such camps in Darfur. In addition, patrol times have been extended, and patrols are now undertaken daily between 8 a.m. and 6 p.m. in nearly all locations. The objective of the enhanced patrolling is to build trust and confidence with the local actors and enhance cooperation and coordination between United Nations police and their Government and movement counterparts.

12. The Police Commissioner has identified continued proactive engagement with internally displaced persons, local communities and Government authorities as priority activities for the UNAMID police component. In that regard, he has put particular emphasis on undertaking 24-hour, 7-day patrols in camps for internally displaced persons across all three sectors and on bolstering police presence on the basis of the three-phase implementation plan. The mission is also undertaking the establishment of women's desks and community policing programmes in the camps. In that context, a Joint State Police Committee to combat crime and a Joint State Committee for combating violence against women and children were established in Southern Darfur in February. Those committees comprise representatives of UNAMID, United Nations agencies and the authorities of the Sudan. In its first press briefing, on 13 March, the UNAMID Public Information component was able to convey some of those positive developments to the national and international press while highlighting the ongoing challenges faced by UNAMID.

III. Humanitarian situation

13. The military operations by the Sudanese Armed Forces and militias in the northern corridor of Western Darfur during the first three months of 2008 caused dozens of civilian fatalities and the displacement of an estimated 60,000 individuals. Damage to civilian installations such as clinics, water points, homes and other infrastructure was extensive. One national aid worker and two community assistants were killed during the course of the hostilities. Humanitarian compounds and centres were also systematically looted and/or destroyed during the Sudanese Armed Forces and militia attacks. By the end of March, thousands of individuals had

returned to their places of origin, especially in Abu Suruj and Sirba, though many more remain displaced.

14. Humanitarian access remains constrained by insecurity, restrictions created by the parties to the conflict and subsequent limitations on the use of air assets. The severe restrictions on humanitarian access to the civilian population in the northern corridor of Western Darfur for the first 40 days of the year was particularly damaging to humanitarian operations and had an extremely negative impact on civilians in the area, who depend on assistance provided by humanitarian organizations. At present, thousands of civilians along the border with Chad remain in a very vulnerable state, largely out of reach of the humanitarian community. Access to other areas in Western Darfur has also been seriously hampered by the presence of Chadian opposition forces in Darfur and by the cross-border conflict. In a positive development, Government restrictions on humanitarian access to rebel-held areas around Kutum in Northern Darfur, imposed in December 2007, were lifted in mid-January, allowing for the resumption of food distributions to 140,000 conflict-affected people in the area.

15. In addition, rebel movements also undertook military operations during the reporting period. On 7 January, *JEM* attacked the Seref Jidad police station in Western Darfur, forcing Sudanese police personnel to withdraw from the village. In Northern Darfur, a suspected SLM/A/Minni Minawi splinter group attacked a police station in Kilemando in late January, killing two police officers and one civilian (an inmate in the police station cell). In Western Darfur, members of the Movement of Popular Forces for Rights and Democracy, an armed group claiming to be vested with law enforcement authority by virtue of an agreement signed with the State authority, continued its systematic abuse of the rights of the people of Masteri.

16. Elsewhere in Darfur, fighting between the parties, as well as continuing intertribal conflict, continued to trigger significant population displacements throughout the first three months of 2008. Thus far this year more than 90,000 people have been newly displaced across Darfur. Al Salaam camp in Southern Darfur was closed to new arrivals by the Government in February, following an increase in the camp's population to 50,000, up from 37,000 in October 2007. Furthermore, reports indicate that families affected by food shortages are being drawn to camps for internally displaced persons, in the hope of being provided assistance, resulting in further overcrowding and a deterioration of the conditions. Recently concluded post-harvest assessments in Darfur indicate that cereal production is significantly lower than it was last season, raising concerns that food assistance to conflict-affected residents must start earlier than planned.

17. On 22 January, the Government approved the extension of the moratorium on restrictions on humanitarian operations in Darfur until 31 January 2009. In its statement, the Government clearly endorsed the terms and spirit of the 2007 joint communiqué, unequivocally calling for the facilitation of humanitarian operations in Darfur. In view of the late extension of the moratorium, the Humanitarian Affairs Commission of the Sudan also granted a one-month grace period to allow non-governmental organizations time to extend their permits in Khartoum. The High-level Committee and its Tripartite Joint Technical Committee convened on a regular basis to continue to closely follow up the implementation of the joint communiqué.

18. Humanitarian operations in Darfur also continue to be constrained by targeted attacks against humanitarian workers and their assets. During the reporting period, 73 vehicles were hijacked, including 3 UNAMID vehicles and 45 trucks contracted by the World Food Programme (WFP). Twenty-three of the drivers whose trucks were hijacked are still missing. During the reporting period, 18 humanitarian facilities were broken into by armed persons, including four humanitarian compounds that were systematically looted and destroyed during the military offensive by the Sudanese Armed Forces in Western Darfur.

19. Despite the efforts of humanitarian actors, in many areas of Darfur malnutrition among children under 5 years of age remains well above the emergency threshold of 15 per cent of the population.

20. As a result of the insecurity and attacks that seem to be targeting humanitarian workers, WFP faced increasing challenges in the delivery of food aid in Darfur at a time when all agencies are moving to pre-position relief assistance ahead of the rainy season. In February 2008, WFP assisted nearly 2.1 million people in Darfur.

IV. Human rights situation

21. The recent military campaign by the Government of the Sudan to drive out non-signatory factions from Western Darfur has resulted in indiscriminate killings and other grave human rights abuses against civilians. The United Nations Special Rapporteur on the situation of human rights in the Sudan visited the village of Abu Suruj on 5 March and received reports about the serious human rights violations committed during the attacks. She has called for an immediate investigation to identify and bring to justice those responsible for the attacks.

22. In addition, the incidence of sexual and gender-based violence in and around camps for internally displaced persons remained high during the reporting period. In January alone, at least eight female internally displaced persons, including a 12-year-old girl, were raped in four separate incidents in Southern Darfur. In Western Darfur, three female internally displaced persons were reportedly raped in front of their relatives in separate incidents in late February. In Zalingei, a 15-year-old girl from the Hassa Hissa camp was beaten and raped by an armed man, and in Gereida, Southern Darfur, a 13-year-old internally displaced person was raped by an armed man when she went out to collect firewood. In a single incident in the village of Thur, Western Darfur, more than 20 women reported that they had been sexually assaulted by the police and other Government security personnel during a search for suspected bandits in early January.

23. During the reporting period, the Movement of Popular Forces for Rights and Democracy subjected many residents of Muneri, in Western Darfur, to illegal detention, torture and ill-treatment on suspicion of having broken the law. At the same time, some former members who had defected from the group were reported to have been captured and summarily executed.

24. On a positive note, the Governor of Northern Darfur announced an immediate ban on female genital circumcision in the State at a ceremony to mark this year's International Women's Day. He called on the State legislature to enact a law in support of the ban.

V. Deployment of the African Union-United Nations Hybrid Operation in Darfur

25. With regard to the ongoing deployment of UNAMID, paragraph 5 of Security Council resolution 1769 (2007) contains a requirement that, no later than 31 December 2007, UNAMID should assume authority from AMIS with a view to achieving full operational capability and force strength as soon as possible. In accordance with that requirement, UNAMID assumed authority from AMIS on 31 December. While some steps have been taken towards increasing the operational capability and force strength, the deployment of troops in Darfur has been hampered by the deterioration of the security situation and associated requirements to adapt the military concept of operations, logistical challenges, the readiness to deploy of many troop-contributing countries, ongoing discussions with the Government on force composition and continuing bureaucratic impediments imposed by the Government.

26. As at 26 March, the total strength of UNAMID was approximately 10,600 personnel. That figure included some 9,200 uniformed personnel, comprising approximately 7,500 military personnel, 1,600 police officers and one formed police unit, and some 1,400 civilians.

27. In the first quarter of 2008, the only additional deployments to UNAMID were by the advance party of the multi-role engineer company from China and the formed police unit from Bangladesh. The main body of the Chinese engineer company and its equipment are expected to arrive in Darfur in April.

28. A multi-role engineer company, a medium transport unit and a signals company from Egypt, scheduled to deploy earlier as a part of the heavy support package to AMIS, started deploying in March with the arrival of their equipment. While a portion of the equipment has arrived in Darfur, much of it has yet to leave Port Sudan. The personnel of the three companies are expected to arrive in April 2008. The equipment and vehicles of the Bangladesh multi-role logistics company and Nigerian level II hospital have also arrived in the Sudan and are expected to reach Nyala and El Geneina, respectively, in April, with their personnel following in May 2008.

29. In the meantime, given the rapidly changing security environment, particularly in Western Darfur, as well as the need to ensure the presence of the UNAMID force both in Government- and in movement-held areas, the Force Commander has undertaken a tactical review of deployment locations and troop-contributing country distribution throughout Darfur. On that basis, the Force Commander has concluded that a limited redistribution of some troop contributors to different locations within Darfur would be of significant benefit to the force's objectives, maximize the use of the limited resources currently at its disposal and strengthen the mission's hand in its efforts to implement resolution 1769 (2007).

30. The Department of Peacekeeping Operations has initiated discussions with certain UNAMID troop contributors in order to discuss their willingness to consider deploying to locations other than those initially envisioned. While such redistribution will likely result in some delays in deployment for a limited number of troop-contributing countries, this undertaking will ultimately have a significant positive impact at both the tactical and strategic levels.

31. As the deployment of units from the heavy support package is taken forward, another short-term priority will be the deployment of the first two UNAMID battalions from Egypt and Ethiopia. The advance-party personnel of the Egyptian battalion is expected to arrive in April, and the main body in May 2008. That will provide an important operational impetus for UNAMID, as it will be the first significant increase in the force's infantry capability since the transfer of authority on 31 December 2007.

32. The equipment and personnel of the advance party of the Ethiopian infantry battalion is expected to be flown into El Fasher in April. It is anticipated that the main body's equipment will arrive in the Sudan in April and in Darfur in early May, with the personnel arriving in May 2008. The Ethiopian battalion will deploy with an Ethiopian multi-role logistics unit, a transport company and an infantry reconnaissance company.

33. As indicated in the previous 30-day report, I discussed the deployment of UNAMID with the President of the Sudan, Omer Hassan Al-Bashir, in Dakar on the margins of the Organization of the Islamic Conference summit early in March. During our meeting, we agreed that UNAMID would accept one additional battalion from Egypt and another from Ethiopia, following which we would expedite the deployment of the Thai and Nepalese units.

34. The Force Commander has also made clear the priority importance of bringing the existing 10 UNAMID battalions up to United Nations standards in terms of troop numbers and self-sustainment capability. While the troop-contributing countries are able to generate the required number of troops, many are finding it difficult to procure the necessary equipment. Donor nations have volunteered to provide the equipment, training and sustainment needed to raise the battalions to the appropriate standard, in particular in terms of increasing their capacity to undertake extended patrols. It is imperative that those battalions arrive in Darfur adequately trained and fully self-sustaining in order to add value without overtaxing the mission's support capabilities.

35. The force continues to lack a number of critical capabilities: three medium utility helicopter units, one aerial reconnaissance unit, one medium transport unit, one heavy transport unit and one multi-role logistics unit. Pre-deployment preparations are under way for the light tactical helicopters offered by Ethiopia. However, that pledge did not fully meet the requirement, and an additional four light tactical helicopters are still being sought. Such helicopters are essential given their ability to provide force protection and act as a deterrent. Aerial reconnaissance capability is crucial in order to perform surveillance and to monitor and verify events on the ground. Military engineers play a critical role in the expansion of UNAMID camps, particularly in the more remote areas, and in maintaining main supply routes. The logistics and transport units are necessary for sustaining the force in the extremely challenging operating environment of Darfur.

36. On the ground, the primary challenges for the UNAMID military component are to ensure the self-sustainment capabilities of former AMIS and incoming troops; to put in place a robust logistic resupply process and maintenance system; to increase operational output with asset resources; to improve administrative procedures so as to ensure that troops are properly supported; to build on the established liaison arrangements at all levels with the Government, the Sudanese Armed Forces and all the movements so as to formalize this through the Ceasefire

Commission; and to obtain land, build a number of new bases and expand most of the existing ones to accommodate and support half a battalion with supporting elements (including, in some cases, UNAMID formed police units) and civilians per location. With respect to the mission's consultations with the Government to obtain the land that it requires, it has been provided land in El Geneina on which it will build a supercamp for the Western Darfur sector. However, to date the mission still has not received land in Seleia, in the northern corridor of the State. It is critical that the mission obtain that piece of land as quickly as possible in order for UNAMID to be able to adequately respond to the evolving situation in the area.

37. Reconnaissance visits to Darfur by formed police units have been conducted by Egypt, Indonesia, Nepal, Nigeria and Senegal. Pre-deployment visits to inspect units from Egypt, Indonesia and Nepal have taken place, and additional visits are planned to Nigeria and Senegal in April. The equipment of the Nepalese formed police unit arrived in Port Sudan on 18 February, and the unit's main body will deploy once the equipment arrives in Nyala. It is estimated that five formed police units will be deployed in Darfur by the end of July 2008.

38. While the Government has agreed in principle to the right of UNAMID to conduct night flights, it continues to obstruct the mission's operations by restricting flying hours. The Government has said that the airports do not have sufficient capacity for night flights and has therefore indicated that UNAMID must conduct limited night flying. In that regard, the survey and technical drawings for the planned development by the United Nations of airfields in El Fasher, Nyala and El Geneina were completed during the reporting period, and plans are ongoing to begin that development soon. However, in the meantime, it is important that UNAMID be permitted to conduct night flights, which are critical to its operations.

39. Regarding the construction and servicing of UNAMID sites, all task orders were submitted to the contractor on 15 March 2008. The task orders include construction projects in Nyala, El Fasher, El Geneina and Zalingei. They also include construction of a level 1 hospital, a level 3 hospital and medical warehouse, supercamps and 1,250- and 200-person transit camps as well as electrical power installation for the camps.

VI. Financial arrangements

40. The General Assembly, by its resolution 62/232, authorized the establishment of a special account for UNAMID and appropriated the amount of $1,275.7 million for the period from 1 July 2007 to 30 June 2008, equivalent to $106.3 million per month, for its establishment.

41. As at 28 March 2008, unpaid assessed contributions to the Special Account for UNAMID amounted to $708.1 million. As at 31 December 2007, the total outstanding assessed contributions for all peacekeeping operations amounted to $2,536.4 million.

42. In accordance with paragraph 5 (a) of Security Council resolution 1769 (2007), reimbursement of troop-contributing Governments for troop costs associated with contingent personnel deployed to the African Union Mission in the Sudan for the period from 1 October to 31 December 2007 was made at the end of March 2008.

VII. Political process

43. Following the launching of the Darfur peace talks in October 2007, continuing efforts are being made to encourage the parties to start substantive negotiations under the auspices of the African Union and United Nations Special Envoys. Some progress has been made since December 2007, especially towards the unification of the non-signatory movements. However, further progress has been impeded by the deterioration of the security situation, the absence of trust among the parties, renewed instability in the region, and, ultimately, the lack of political will to cease hostilities and come to the negotiating table in good faith.

44. Since the Sirte talks, the Darfurian non-signatory movements have coalesced around five major groupings: SLM/A-Unity, SLM/A-Abdul Wahid, SLM/A-Abdul Shafie, JEM-Khalil Ibrahim and the United Resistance Front (URF) — an alliance of five groups established in Juba in December. In mid-December, following the conclusion of the meeting of non-signatory movements under the auspices of the Sudan People's Liberation Movement (SPLM), the mediation facilitated the return of many movement representatives from Juba to Darfur for further discussions in the field. URF conducted an internal conference in the field and agreed on a political and military structure, which will soon be announced formally in Juba. Also in December, SLM/A-Unity announced the structure of its executive body.

45. Despite those developments and the ongoing discussions among groups, only limited progress has been made towards further unification and coordination, owing partly to unresolved leadership issues and partly to the fighting in Western Darfur. The Special Envoys, Salim Ahmed Salim and Jan Eliasson, have encouraged the movements to focus on the goal of unifying their positions and nominating a negotiation team.

46. In January 2008, the Special Envoys conducted a week-long visit to Darfur, during which they consulted with representatives of the movements on the possibility of holding an Arusha-style meeting and the start of substantive talks. During the visit, both URF and SLM/A-Unity expressed their willingness to attend such a meeting and to enter into substantive talks. As SLM/A-Unity had not attended the opening of the talks in Sirte, that development was a significant step forward.

47. However, the other three groups are not yet willing to participate in such a meeting or proceed to substantive talks. Notwithstanding the constructive discussions between Special Envoy Eliasson and Abdul Wahid in Paris in February and in Geneva on 18 March, the latter's movement continues to assert that an improvement in the security situation is a precondition for negotiations. JEM leader, Khalil Ibrahim, recognizes the importance of a political process, but the movement insists that only JEM and SLM/A should be represented at the talks. SLM/A-Abdul Shafie has expressed reservations regarding the format, venue and timing of the talks. In that context, there is not yet a critical mass of non-signatory movements ready to proceed to substantive negotiations or to attend a meeting similar to that held in Arusha in August 2007.

48. The deterioration of the situation in Chad and the actions of opposition groups reportedly supported by the Governments of Chad and the Sudan have increased tensions between the two countries and undermined regional support for the peace process. On 13 March, the Governments of Chad and of the Sudan signed an

agreement in Dakar in which they committed to normalizing their bilateral relations. The effectiveness of the Dakar Agreement will be gauged by events on the ground. In the coming months, a serious resolve to restore peace and stability along the common border will be vital for the peace process.

49. The Government has continually stated its readiness to engage in substantive negotiations at any time. In that regard, the resolution of the crisis between the National Congress Party and the SPLM in January 2008 was a positive step. However, uncertainty remains regarding the participation and role of Minni Minawi's SLM/A in the political process, which will be important for a unified Darfur strategy in the Government of National Unity.

50. In those circumstances, and although the objective remains to convene formal substantive talks as soon as possible, the Special Envoys believe that there is a need to adjust the approach defined in the 2007 road map. Consultations with the parties are ongoing to determine the way forward, including a forthcoming meeting between the Special Envoys and Khalil Ibrahim: security constraints had impeded the convening of such a meeting in recent months. Efforts are also under way to expedite the recruitment of a joint African Union-United Nations Chief Mediator to engage with the parties on a continual basis.

51. On 17 and 18 March, the Special Envoys convened informal consultations with international and regional partners in Geneva. The meeting provided an opportunity for key stakeholders to assess the situation, work towards a common understanding on the road ahead and harness international leverage in the quest for a solution to the conflict. Participants agreed that the amelioration of the security situation was the paramount priority and that every effort must be undertaken to that end. The Special Envoys, in consultation with UNAMID senior leadership, are engaging the parties on that issue and hope to find ways to bring them together for discussions on committing to a cessation of hostilities and to the protection of civilians. That will be an initial step — the recognition that agreement on security arrangements will be part of a broader political solution.

52. In the meantime, efforts are intensifying to harness the views of civil society organizations, internally displaced persons and traditional leaders for the benefit of the peace process, through the UNAMID Civil Affairs Unit and the Darfur-Darfur Dialogue and Consultation. The purpose is not only to select representatives for indirect participation in the talks but also to engage those constituencies on substantive issues — a long-term process that will likely extend beyond the negotiations. There are challenges involved, in particular the need to secure the support of the parties for civil society involvement in the peace process.

VIII. Implementation of the Darfur Peace Agreement

53. Implementation requirements under the Darfur Peace Agreement have been largely disregarded by all parties on the ground and hampered by the lack of support for the Agreement's mechanisms by non-signatories. Violations of its ceasefire agreements occur on a daily basis, yet the Ceasefire Commission is unable to formally investigate such incidents, as its role, structure and terms of reference have not been agreed to by the Joint Commission.

54. While not fully representative, the first meeting since the transfer of authority was conducted by the Commission on 29 February, chaired by the Deputy Force Commander of UNAMID and attended by members of the Government of the Sudan, JEM Peace Wing, SLM/A-Minni Minawi, and SLM/A-Non-signatory factions. During the meeting, UNAMID requested that the parties appoint two representatives for each of the three sectors of Darfur as well as one representative for the headquarters in El Fasher.

55. During the reporting period, the Darfur-Darfur Dialogue and Consultation secretariat organized numerous engagements with stakeholders of Darfur society in order to promote the Dialogue's fundamental principles — inclusiveness, autonomy and a grass-roots approach. The Dialogue also sought the views of the Darfurian diaspora on the issues of reconciliation, development, administration, identity, democracy and compensation.

IX. Observations and recommendations

56. I am extremely disappointed at the lack of progress on all fronts in the efforts to address the situation in Darfur. The parties appear determined to pursue a military solution; the political process stalled; the deployment of UNAMID is progressing very slowly and continues to face many challenges; and the humanitarian situation is not improving. The primary obstacle is the lack of political will among all the parties to pursue a peaceful solution to the Darfur crisis. If both sides had mustered the necessary will and agreed to cease hostilities, to cooperate with the deployment of UNAMID, to work sincerely with the Special Envoys towards launching the substantive negotiations and to commit to the protection of civilians, we would by now have started to witness significant progress towards a lasting solution.

57. The implications of the current security situation for the people of Darfur are grave. Violence in Western Darfur during the reporting period has significantly impaired the humanitarian community's ability to provide the civilian population with the critical assistance they require and has increased the vulnerability of thousands of civilians. Additionally, the ongoing attacks on food convoys throughout Darfur have hampered the capacity of agencies on the ground to provide food aid to the population. Reports of a build-up of forces on the Chad-Sudan border during the reporting period offer a deeply troubling sign that the violence and instability will continue, to the detriment of the civilian populations on both sides of the border and in clear violation of the Ceasefire Agreement.

58. UNAMID continues to work towards the full implementation of its mandate and has increased its capacity and visibility with the limited personnel and resources currently at its disposal. It is critical that the international community recognize its own central role in supporting the mission, so as to enable it to effectively implement its mandate and contribute to improving the lives of the civilians of Darfur. In that respect, more must be done to secure the necessary aviation and logistical capacities for a full and effective deployment. Creative solutions must be found for those shortfalls, and they must be found quickly. I call once again on Member States to pledge the necessary capabilities for UNAMID or to prevail upon others who may be in a position to do so.

59. Tensions between Chad and the Sudan during the reporting period have increasingly demonstrated the regional dimensions of the conflict and the

devastating impact that it could have on civilians and peacekeepers on both sides of the border. In that context, a disturbing incident occurred on 3 March, when a European Union-led peacekeeping force (EUFOR) vehicle mistakenly crossed from Chad into the Sudan (Western Darfur) and was fired on by the Sudanese Armed Forces. During the exchange of fire that ensued, one French soldier was killed and another injured. That incident is deeply troubling for the missions on both sides of the Chad-Sudan border, and I strongly urge all parties to exercise the utmost restraint. In that regard, I welcome the agreement reached on 13 March 2008 in Dakar between the President of Chad, Idriss Deby, and President Al-Bashir, in which they agreed to normalize relations and work to prevent further violence. However, the letter dated 27 March 2008 from the Permanent Representative of the Sudan addressed to the President of the Security Council (S/2008/212), which alleges that Chad has already violated the Dakar Agreement, is a worrying signal of the climate of mistrust between the two countries. Too many agreements between Chad and the Sudan have gone unimplemented, and I call on both States to take definitive steps to normalize their relations and ensure the full and expeditious implementation of the Dakar Agreement.

60. The signing of the status-of-forces agreement between UNAMID and the Government of the Sudan on 9 February was a positive step in the relations between the Government and the mission. However, the fact that UNAMID has not been afforded complete freedom of movement, particularly in areas affected by the ongoing violence in Western Darfur, demonstrates the need for all parties, including the Government and JEM, to cooperate fully with UNAMID and respect the provisions of the agreement both in letter and in spirit.

61. Despite the Government's declared commitment to a political solution, and its unilateral declaration of a cessation of hostilities and its readiness for peace talks, its recent military actions in Western Darfur and the widespread use of force against civilians in the region are fundamentally at odds with the creation of the environment of trust necessary to initiate meaningful dialogue. JEM must also be held accountable for the role it has played in creating those circumstances.

62. The use of military force by the parties has overshadowed the political process and created an environment in which the prospect of negotiations has become ever more remote. In addition to the undue suffering that such fighting creates for the civilian population, the ongoing violence sends a strong signal that the parties are not ready to end the conflict through dialogue. I therefore call on all parties to urgently commit to a cessation of hostilities and to meaningfully engage in the political process led by the Special Envoys.

63. In conclusion, I wish to express my gratitude to all United Nations personnel and humanitarian actors working in Darfur. I also wish to thank Member States, including donor and troop-contributing countries, for their determined support for the deployment of UNAMID and for efforts to encourage the parties to return to the path of negotiations.